URBAN/MUNICIPAL
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C51F31
1994

AGENDA / MINUTES

FINANCE AND
ADMINISTRATION
COMMITTEE

SEPT. 22/94



Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1994 September 22nd
9:30 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL
SEP 21 1994
GOVERNMENT DOCUMENTS

Susan K. Reeder
Susan K. Reeder
Secretary

AGENDA

DELEGATION

A. Mrs. Mary Sinclair - Claim for Damages

B. Lorne Hubber, Vice-President, Lancaster Sheet Metal Limited - Holdback - City of Hamilton Data Centre Project.

C. Hamilton Status of Women Sub-Committee - Establishment of a Safe City Committee

1. CONSENT AGENDA

2. MAYOR ROBERT M. MORROW

   International Symposium on Health Management Conference

3. HAMILTON STATUS OF WOMEN SUB-COMMITTEE

   Appointment of Members to the Hamilton Status of Women Sub-Committee

4. INFORMATION SYSTEMS OPERATIONAL REVIEW STEERING COMMITTEE

Appointment of Consultant to perform the Operational Review of the Information Systems Department (copy to ~~follow~~) ITEM WITHDRAWN

5. CHIEF ADMINISTRATIVE OFFICER

(a) Consultant - User Fee Study

(b) Financing of the Hanging Flower Baskets - Westdale Village BIA in 1994.

(c) Verbal Update - Single Tier - City Treasury and Regional Finance

(d) Use of Council approved funds for Continuous Improvement and other initiatives as well as restructuring.

6. BUILDING COMMISSIONER, CITY SOLICITOR AND FIRE CHIEF

Sprinklering of Existing Buildings

7. BUILDING COMMISSIONER

Development Charges By-Law 90-974

8. CITY CLERK

(a) Roomers and Boarders Task Force Report

(b) Extension of Terms of Office for Citizens Appointed to City Committees, Local Boards and Commissions

9. TREASURER

(a) Interim Financing Grey Cup Festival 1996

(b) Post Audit Letter - Recommendations and Comments concerning Accounting Systems, Procedures, and Controls for the year 1993

(c) Information Report - Outstanding Assessment appeals settled in 1994

(d) Hamilton Steelers Soccer Club - Rental Arrears for the use of Brian Timmis Stadium

10. DIRECTOR OF INFORMATION SYSTEMS

(a) Bell Canada Pay Phones - Revenue Agreement

(b) Replacement of DEC/VAX File Server

11. PRIVATE AND CONFIDENTIAL AGENDA

12. OTHER BUSINESS

13. ADJOURNMENT

LANCASTER
SHEET METAL LTD.

B.

Head Office: 195 Hempstead Drive, Hamilton, Ontario L8W 2E6 - Tel. (905) 388-3800 - Fax (905) 575-7166

September 2, 1994

Mr. Bob Charters
Alderman of Ward Six
Corporation of the City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Reference: Memphis-Kendall Builders Inc.

Dear Alderman Charters:

We have recently placed a construction lien against Memphis-Kendall and the City of Hamilton for sheet metal and air conditioning work that we have performed at the City of Hamilton Data Centre Project at 71 Main Street West. Our firm has not been paid for our holdback plus G.S.T. that is being held in trust by the City of Hamilton.

The following events will explain our current position:

1. In July of 1992, we received a contract from Memphis-Kendall in the amount of $94,000.00 plus G.S.T. This contract was broken down into the following phases:

Phase 1	$84,000.00
Phase 2	2,000.00
Phase 3	0
Phase 4	8,000.00
	$94,000.00
Changes to Contract	420.00
Revised Contract Price	$94,420.00

2. We completed phase one and two plus the revision and invoiced Memphis-Kendall for this work in the amount of $86,420.00 plus G.S.T. of $6,049.31. Memphis-Kendall have paid us a total of $83,087.91. A breakdown is as follows:

Work completed to date	$86,420.00
Plus G.S.T.	6,049.31
	$92,469.31
Less Payments	83,087.91
Amount Owing	$9,381.40

Cont'd...2

3. The current amount owing can be further broken down as follows:

Holdback Trust Money (10% of $86,420.00)	$8,642.00
G.S.T. Trust Money	604.94
	$9,246.94
Balance from previous invoices	134.46
	$9,381.40

4. In early January/February of 1993, we were instructed by the City Architects Office, Mr. Stephen Chang, Senior Project Manager, and Memphis-Kendall to put a hold on phase four because of some contemplated changes. On February 26, 1993, we submitted our price to Memphis-Kendall for the cost of the revisions that were shown on drawings SK-M1 and SK-M2 in the amount of $5,940.00.

5. At this point in time, we had no reason to anticipate any financial problems. Memphis-Kendall owed us $134.46 plus the Holdback and G.S.T. trust money of $9,246.94 that the City of Hamilton had witheld on our behalf.

Needless to say, our current situation is not good. However, we have performed our part of the contract in good faith but are still owed our trust money. We would submit the following comments for your consideration:

1. Lancaster Sheet Metal has not abandoned this project. We still have some materials for Phase Four ($8,000.00 plus the changes) in our inventory that we have not invoiced for and we are prepared to finish the contract.

2. We have already spent over $2,000.00 in legal cost to try and protect our interest with the City of Hamilton.

3. Our Company questions why the City of Hamilton would award this contract to an out of town Contractor who had limited exposure to work in the Hamilton area.

4. Did Memphis-Kendall provide bonding for this project? If bonding was provided, what is the current position of the bonding agreement? Was a Notice of Substantial Completion circulated in the Daily Commercial News to notify sub-contractors and suppliers that the City had accepted this job?

5. Lancaster Sheet Metal, the owners Robert Graham and Lorne Hubber, and Associated Companies pay over $60,000.00 in Business and Realty Taxes to the City of Hamilton per year. We have managed to fulfil our tax commitments to the City during these very difficult times in the Construction Industry. Hopefully, the City will pay their obligations to Contractors that provide employment and pay taxes in the City of Hamilton.

Cont'd...3

Regardless of the legal implications of this case, we would appreciate any help and assistance that you can provide so that our account can be settled without any further legal cost or publicity.

Thank you for your interest.

Yours truly,

LANCASTER SHEET METAL LIMITED

Lorne Hubber
Vice President

LH/cj

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Charlene J. Touzel, Secretary
Hamilton Status of Women Sub-Committee

SUBJECT: Establishment of Safe City Committee

RECOMMENDATION:

That a Safe City Committee be established as per the Terms of Reference attached hereto and marked as Appendix "A".

Touzel

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The costs for this Committee would be minimal given that City staff resources would not be required. A volunteer Secretary would be responsible for taking minutes.

BACKGROUND:

The Safety Audit Report as prepared by the Hamilton Status of Women Sub-Committee and Pal-Tech Engineering, was presented to the Finance and Administration Committee at its meeting held 1993 March 25. The Committee approved that the recommendations contained in the report, including the establishment of a Safe City Committee, be referred to the Chief Administrative Officer to meet with the appropriate staff and the Hamilton Status of Women Sub-Committee to report back on the costing implications and procedures to be undertaken in carrying out the report's recommendations.

Numerous meetings have been held and the attached Terms of Reference have been developed.

attached

cc Joe Pavelka, Chief Administrative Officer
Bill Janssen, Planning Department
Vanessa Grupe, Planning Department

APPENDIX "A"

SAFE CITY COMMITTEE, HAMILTON

TERMS OF REFERENCE

1. Mandate

The mandate of the Safe City Committee is:

a) to monitor the implementation of recommendations in The Women's Safety Audit Report of September 1992;

b) to identify and monitor safety issues affecting home, school, workplace and community;

c) to develop new policies and programs relating to an ongoing municipal response to violence against all citizens; and,

d) to consult with and provide information resources to community groups and agencies in their ongoing work to end violence against women.

2. Membership - Composition

The membership of the Safe City Committee will be composed of no less than 20 members, and no more than 25 members, consisting of agencies, groups or individuals from the diverse community; City Council; and, two members of the Hamilton Status of Women Sub-Committee.

The Safe City Committee has a goal of a minimum of a third of its members representing organizations that are by and for visible minority, Native, immigrant and refugee women. The Committee recognizes that this does not replace the need for ongoing consultation with groups not represented on the Safe City Committee.

3. Membership - Selection

3.1 Members should be solicited through advertisements in the local newspapers.

3.2 In order to reduce any dominance in the Committee, the Hamilton Status of Women Sub-Committee must be an advisory body in the selection process.

3.3 Members should have fixed terms of office in accordance with any other similar Committee.

3.4 Vacancies: The Committee shall follow the usual procedures and process of any other Committee.

3.5 Relevant background materials on the Safe City Committee will be made available to all applicants of the Safe City Committee.

3.6 People applying for membership to the Safe City Committee should be willing to:

(a) demonstrate understanding of the Safe City Committee's mandate, and a commitment to the underlying principles of the Safe City Committee;

(b) work within a City Committee structure;

(c) contribute to the Safe City Committee.

4. Membership, Guidelines and Conduct

4.1 Members are asked to send regrets to the Administrator if unable to attend meetings.

4.2 Any member missing more than three (3) consecutive meetings is expected to contact the Administrator with a replacement from their organization. If they are unable to provide a replacement from their organization, another organization will be allowed the opportunity to take their place on the Safe City Committee.

4.3 A member's comment may not be offensive, or contain epithet, innuendo, or ridicule. The Chair or fellow members may interrupt such comments if they feel they are being individually or collectively insulted.

4.4 If a member, under 4.3, persists in hurtful behaviour, any member of the Committee can move to request resignation of the individual and replacement from their organization will be recognized to be an extraordinary measure, to be taken only under the most unusual circumstances.

5. Meetings

5.1 The Safe City Committee will meet monthly at City Hall.

5.2 The Chair may call special meetings to deal with urgent matters.

5.3 Quorum for meetings will be 1/3 of the total of the Committee membership. Members of the Safe City Committee may designate an alternate from their organization or office who has the voting right of the member, in the member's absence, at the meeting, and whose presence count towards a quorum.

6. Procedure for Minutes

6.1 Volunteer Secretary will take and process minutes of each meeting and be responsible to provide same to members one week prior to meeting.

6.2 The use of necessary city equipment to be provided by City Council.

7. Sub-Committees

7.1 Every Safe City Committee member is expected to sit on at least one Sub-Committee over one calendar year.

7.2 Each Sub-Committee will develop a set of goals and a timeline on individual issues.

7.3 Each Sub-Committee must, at its first meeting, select a Chair and a Notetaker. The Chair and Notetaker positions can be on a rotating basis.

8. Promotions

8.1 The Safe City Committee has a policy of not promoting for profit companies, products and events. It reserves the right to recommend qualified consultants, if such information is requested.

1.

FINANCE AND ADMINISTRATION COMMITTEE
THURSDAY, 1994 SEPTEMBER 22ND
CONSENT AGENDA

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the meeting held Thursday, 1994 August 25th

B. CHIEF ADMINISTRATIVE OFFICER AND EXECUTIVE ASSISTANT TO THE MAYOR

McMaster University - Memorial Rose Garden

C. CITY CLERK

(i) Use of City Hall facilities - Head-of-the-Lake Historical Society - Book Launch

(ii) Use of Council Chambers - Hamilton Association of Muslims, Christians and Jews

(iii) Use of City Hall facilities - 125th Anniversary Celebration of Mahatma Gandhi

D. TREASURER

(i) Funding - Additional financing required for Local Improvement Closed in 1992.

(ii) Funding - Increased cost - Concrete Curb - Upper Kenilworth - Landron venue to Limeridge Road East (previously tabled by Council on 1992 October 27 and lifted from the tabled on 1994 July 26 and referred back to the Finance and Administration Committee).

(iii) Tax Applications Processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45, Statutes of Ontario, 1990.

E. DIRECTOR OF PROPERTY

Closure of Property Department Capital Projects

F. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE
Information Items

Thursday, 1994 August 25
9:30 o'clock a.m
Room 233, City Hall

A.

The Finance and Administration Committee met.

There were present:	Alderman T. Anderson, Acting Chairperson Alderman D. Drury Alderman V. Agro Alderman D. Agostino Alderman T. Cooke Alderman G. Copps
Regrets:	Alderman D. Ross, Chairperson, (Other Business) Alderman B. Charters, V-Chairperson (Vacation) Mayor Robert M. Morrow, (City Business)
Also present:	Alderman M. Kiss J. Pavelka, Chief Administrative Officer J. Johnston, Commissioner of Human Resources A. Ross, Treasurer P. Barkwell, Law Department J. Schatz, City Clerk G. Peace, Assistant Deputy Chief, Fire Department G. Smith, Deputy Fire Chief M. Watson, Real Estate W. Janssen, Planning Department R. Swan, Property Department G. Kerr, Treasury R. Martiniuk, Architects Division, Property Dept. Susan K. Reeder, Secretary

In the absence of the Chairperson and Vice-Chairperson, the Committee appointed Alderman T. Anderson to serve as Acting Chairperson of the Committee for this meeting.

DELEGATION - MR. IAN BARNES, NORTH AMERICAN SPORTS COMMUNICATIONS - COMMEMORATIVE BOOK - 125TH ANNIVERSARY OF FOOTBALL IN HAMILTON

Mr. Ian Barnes of North American Sports Communications was in attendance along with a colleague to speak to the Committee requesting the City of Hamilton's participation in sponsorship of this commemorative book.

Following discussion and questions to the delegation, the Committee approved the following:

(a) That Regional Council be requested to jointly purchase with the City, a gold sponsorship package in the "Hamilton Football's 125th Anniversary Commemorative Book" being produced by North American Sports Communications at a total cost of $5,350. (includes GST); and,

(b) That the City's cost of this joint sponsorship in the amount of $2,675. be funded from the Advertising and Promotion Account Number CH56302 12001; and,

(c) That should the Region decide not to participate as co-sponsors, that the City purchase a silver sponsorship package in the "Hamilton Football's 125th Anniversary Commemorative Book" at a cost of $2,675. (includes GST) with funding to be derived from the above-noted account.

Note: Alderman Copps opposed.

1. CONSENT AGENDA

Alderman Drury raised some questions on the need for roof repairs as indicated in Recommendation G. (ii) of the Consent Agenda.

The Committee then approved its Consent Agenda as follows:

(A) MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the Joint Meeting of the City's Finance and Administration Committee and the Region's Administration Services Committee held on Tuesday, 1994 July 9th.

(ii) Minutes of the regular meeting held Thursday, 1994 July 21.

The Committee was in receipt of the above-noted minutes and approved these minutes as circulated.

(B) CHIEF ADMINISTRATIVE OFFICER - VOLUNTEER CENTRE - 4TH ANNUAL INDOOR GOLF TOURNAMENT

The Committee was in receipt of a report from the Chief Administrative Officer dated 1994 August 3 respecting the above-noted matter and approved the following:

> That the recommendation approved by City Council on 1994 June 28, for the Volunteer Centre Fourth Annual Indoor Golf Tournament, 1995 March 3 be amended to 1995 February 24 and to include the use of the second floor lobby on 1995 February 23 for the City Hall staff registration and to play the course.

(C) H.E.C.F.I. - CLOSING OF CAPITAL ACCOUNTS

The Committee was in receipt of a report from the Secretary of HECFI dated 1994 July 22 respecting the above-noted matter.

The Information Report advises the Committee that the HECFI Board approved the closing of a number of Capital Project Accounts in the amount of $130,448.68. This amount was returned to the HECFI Reserve Account for Capital Projects and an additional $10,000. was returned to the Hamilton Place Capital Improvement Fund which were the original sources of funding.

The Committee received this document for information purposes.

(D) CITY CLERK - USE OF CITY FACILITIES - OBORIGINAL COALITION ON TAXATION FOR ABORIGINAL INHERENT RIGHTS

The Committee was in receipt of a report from the City Clerk dated 1994 August 2 respecting the above-noted matter and approved the following:

(a) That approval be given to the action taken by the City Clerk in authorizing the Aboriginal Coalition on Taxation for Aboriginal Inherent

Rights to use the forecourt and related equipment on Thursday, 1994 August 11 at 10:00 a.m. for a rally; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

(E) FIRE CHIEF - REPLACEMENT OF ONE FIRE DEPARTMENT RESCUE VEHICLE

The Committee was in receipt of a report from the Fire Chief dated 1994 August 17 respecting the above-noted matter and approved the following:

That funds be allocated from the Reserve for Replacement of Mobile Equipment for the replacement of a Fire Department Rescue Vehicle, in the total estimated cost of $220,000.

(F) TREASURER

(i) Funding - 1994 Ontario Museum Association Annual Conference

The Committee was in receipt of a report from the Treasurer dated 1994 August 17 respecting the above-noted matter. The Committee approved the following:

That as referred to in Section 23 of the Fourteenth Report for 1994 of the Parks and Recreation Committee, the amount of $4,500. contribution to assist in defraying the costs of the 1994 Ontario Museum Association Annual Conference in Hamilton, 1994 October 20-23 be financed from the Hosting of Conferences with Municipal Subject Content Account CH 55307 80040.

(ii) Funding - City's Share of Services Related to Subdivisions - Wisemount Estates - Phase 6

The Committee was in receipt of a report from the Treasurer dated 1994 August 17 respecting the above-noted matter and approved the following:

That as referred to in Section 23 of the Eleventh Report for 1994 of the Transport and Environment Committee, the City's share of services in Wisemount Estates - Phase 6 for a total of $31,883. be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

(iii) Funding - Purchase of 52 Holly Avenue, Hamilton - Margaret Hutchinson, McAnulty Neighbourhood Park

The Committee was in receipt of a report from the Treasurer dated 1994 August 22 respecting the above-noted matter and approved the following:

That as referred to in Section 21 of the 14th Report for 1994 of the Parks and Recreation Committee, the increased cost of land acquisition for McAnulty Neighbourhood Park (Account Centre No. CF 628650002) in the amount of $60,000., being revised

from $90,000. to $150,000. due to the acquisition and demolition of 52 Holly Avenue, be financed from the Reserve for Park Lands, Account Centre No. CH 00201.

(iv) Funding - Golf Courses - Capital Improvements and Capital Budget

The Committee was in receipt of a report from the Treasurer dated 1994 August 17 respecting the above-noted matter and approved the following:

That as referred to in Section 17 of the Fourteenth Report for 1994 of the Parks and Recreation Committee, an Engineering/Hydraulic Study at both King's Forest and Chedoke Golf Courses to determine and recommend a strategy for minimizing use of and dependence on the municipal water supply for irrigation and snow making (Chedoke only) purposes, at an estimated cost of $40,000., be allocated out of the 1994 Capital Contingency Account and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

G. DIRECTOR OF PROPERTY

(i) Closure of Property Department Capital Projects

The Committee was in receipt of a report from the Director of Property dated 1994 August 18 respecting the above-noted matter and approved the following:

That the City Treasurer be directed to close the following Capital Project account with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended To Date	Balance Available	Source(s) of Financing
a) 328641001	Energy Conservation Projects	$50,000	$49,951	$49	RCP
b) 318741101	Budget Items Financed from Reserves	$130,000	$129,845	$155	RCP
TOTAL				$204	

(ii) Roof Replacements, Various Locations

The Committee was in receipt of a report from the Director of Property dated 1994 August 18 respecting the above-noted matter and approved the following:

(a) That purchase orders be issued for roof replacements at various locations, being the lowest tenders received, in accordance with specifications issued by Purchasing, and be financed, as follows:

(i) Norman Pinky Lewis Recreation Centre 192 Wentworth Street North

To Atlantic Roofers Ontario Ltd., Hamilton, in the amount of $179,546. (including $11,746. GST and $7,200. contingency)
Norman Pinky Lewis-Roof Replacement Account No. CF319441010 Lowest of eight (8) tenders

(ii) Farmers' Market 55 York Boulevard

To **Trio Roofing Systems Inc.**, Etobicoke, in the amount of $113,990.31 (including $7,457.31 GST and $2,200. contingency)
Farmers' Market-Roof Replacement Account No. CF319441012
Lowest of ten (10) tenders

(iii) Rosedale Arena 100 Greenhill Avenue

To Whiteside Roofing & Sheet Metal Ltd., Hamilton, in the amount of $147,880.42 (including $9,674.42 GST and $7,600. contingency)
Rosedale Arena-Roof Replacement Account No. CF319441007
Lowest of twelve (12) tenders

(iv) Scott Park Arena 876 Cannon Street East

To Whiteside Roofing & Sheet Metal Ltd., Hamilton, in the amount of $142,460.87 (including $9,319.87 GST and $7,900. contingency)
Scott Park Arena-Roof Replacement Account No. CF319441008
Lowest of eleven (11) tenders

(b) That contracts be entered into satisfactory to the City Solicitor, and

(c) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

H. COMMISSIONER OF HUMAN RESOURCES

(i) Appointments to and Terminations from Permanent Positions With The Corporation of the City of Hamilton to 1994 August 18th.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1994 August 18 respecting the above-noted matter and approved the following:

That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1994 August 18 be approved.

(ii) **Child Care Task Force**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1994 August 18 respecting the above-noted matter and approved the following:

(a) That the Child Care Task Force, in its present form, be dissolved; and,

(b) That the Task Force be replaced with a joint union/management Work and Family Advisory Committee.

I. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - INFORMATION ITEMS**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1994 August 22 respecting Information Items. The Committee approved the following:

(a) Correspondence - Bob Mackenzie, MPP, Hamilton East - acknowledging receipt of the City's objections to the Provincial Charge for Supplementary Assessments.

(b) Information Report - Fire Chief Baker - 86th Canadian Association of Fire Chiefs Conference, Hamilton - July 30 - August 4, 1994

(c) Notice of Application - Ontario Energy Board - Union Gas rates

(d) Minutes - Hamilton Status of Women Sub-Committee - 1994 July 4

(e) Information Report - Treasurer - Canada/Ontario Infrastructure Projects - report dated 1994 August 18th

(f) Memorandum - Treasurer - Tax Arrears Information - dated 1994 August 4th

(g) Correspondence - Regional Clerk - Notice of the Passage of Regional By-Law No. R94-064 - A By-law to impose development charges against residential and non-residential development in The Regional Municipality of Hamilton-Wentworth.

(h) Information Report - Director of Property - Barrier Free Design, City Hall modifications - report dated 1994 August 10

(i) Information Report - Treasurer - Remunerations and Expenses paid to members of Council and Members of Other Bodies for the year 1993 - Amended

(j) Information Report - City Clerk - Licencing Division

2. **CHIEF ADMINISTRATIVE OFFICER**

Consultant - User Fee Study

The Committee was in receipt of a report from the Chief Administrative Officer dated 1994 August 19 respecting the above-noted matter.

Considerable discussion ensued with respect to this report and it was agreed that this report should be referred back to the Chief Administrative Officer for further consideration.

Concerns on this matter indicated that further research should be undertaken in analysing the process to be followed by a consultant with a view to awarding this work to a local firm and it was also indicated that there is a need for political participation in this process at the early review stages.

(b) Watering Costs for Flower Baskets in B.I.A.'s

The Committee was in receipt of a report from the Chief Administrative Officer dated 1994 August 22nd respecting the above-noted matter.

The Committee agreed to table this matter until the Mayor's return and at that time to allow him to invite delegations from all of the B.I.A.'s to speak to this matter.

3. COMMISSIONER OF HUMAN RESOURCES - TERMS OF EMPLOYMENT - SCHOOL CROSSING GUARDS

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1994 August 18 respecting the above-noted matter. The Committee approved the following:

That the Terms of Employment for School Crossing Guards and Spare School Crossing Guards be approved.

4. DIRECTOR OF PROPERTY AND DIRECTOR OF REGIONAL PLANNING DIVISION - SALE OF CITY LANDS - 1306 UPPER WELLINGTON STREET

The Committee was in receipt of a joint Information Report from the Director of Property and the Director of Regional Planning dated 1994 August 18 respecting the above-noted matter. The Committee agreed to receive this document for information purposes.

Further to the above-noted Information Report which the Committee had before it, as well as the recommendation of the Direction of Property dated 1994 July 14 which had been tabled at the previous meeting, the Committee agreed to approve this recommendation as follows:

(a) That an Offer to Purchase, duly executed by Primecan Holdings Inc. (A. Weisz, President), on 1994 June 29, and scheduled to close on or before 1994 September 23, for the sale of part of Lot 13, Concession 7, in the former Township of Barton, now in the City of Hamilton, more specifically designated as Parts 1, 2, 3, 4 and 5 on Plan 62R-12639, containing an area of 782.1 square metres (8,418.7 square feet) more or less, being part of municipal address 1306 Upper Wellington Street, Hamilton, be approved and completed, and the funds derived from this sale of $35,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque is the amount of $3,500. be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

5. DIRECTOR OF PROPERTY

(a) Sale of Property at 290 and 296 Victoria Avenue North to International Managed Health Care Inc.

The Committee was in receipt of a report from the Director of Property dated 1994 July 27 respecting the above-noted matter. The Committee approved the following:

(a) That an Offer to Purchase, executed by International Managed Health Care Inc. (Tim Einwechter, Chief Financial Officer) on 1994 July 17 and scheduled for closing on or before 1994 September 27, for the purchase of all of Lots 4 and 5, part of Lot 6, Registered Plan 33, having a frontage along the easterly limit of Victoria Avenue North of 108.5 feet (32.958 metres) more or less, by a depth of 143.98 feet (43.887 metres) more or less, together with buildings erected thereon, bearing municipal number 290 and 296 Victoria Avenue North, be approved and completed and the funds derived from this sale of $340,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $25,000. be held by the City Treasurer pending Council approval; and,

(c) That this Offer to Purchase Agreement be conditional upon the following terms and conditions being satisfied prior to the closing date and no later than 1994 September 13. Failing to do so, this Offer shall be null and void and the Purchaser's deposit shall be returned in full without deduction:

(i) The Purchaser being satisfied that the site will allow the construction of a 12,000 square foot building and associated parking; and,

(ii) The Purchaser being satisfied that they can demolish the existing buildings; and,

(iii) The approval of the Board of Directors of International Managed Health Care Inc. to this purchase; and,

(iv) The Purchaser and/or its agent and consultants obtaining a soils test which is satisfactory to the Purchaser, and which shall indicate that the soil is not encumbered with debris or other non-load bearing loose-fill material; that the soil is of such quality that it is economically feasible to excavate foundations for the proposed construction by the Purchaser; that the property is free of environmentally dangerous material and that the intended use of the property by the Purchaser and any construction upon the property could proceed without risk of environmental harm or without the requirement of environmental treatment of the site; and,

(v) The Purchaser obtaining a satisfactory report as to the environmental condition of the property including any environmental matters which might impact upon the subject property either now, or in the future as a result of or due to the environmental condition of adjoining or surrounding lands. The Vendor shall permit the purchaser and it's authorized agents and consultants reasonable access to the property for the purposes of making the aforesaid physical inspections and for the purposes of making soils, ground-water, environmental and other tests, measurements or surveys in, on or below the property provided that the Purchaser shall do so at its own expense and at its own risk and shall not interfere with the operation of the Vendor at the property and shall return the property to the state in which it was before the commencement of such action. No action taken by the Purchaser herein shall constitute a trespass or a taking of possession:

(vi) (1) It is understood and agreed by the Purchaser and Vendor that the Vendor does not warrant the suitability of the land for any development use or any proposed use. The Purchaser shall deliver to the Vendor within 15 days of acceptance of this offer the results of all soil tests that have been performed by the Purchaser and are in the possession of the Purchaser with respect to the soil; and,

(2) The Purchaser is hereby permitted to enter the said lands at its own risk and cost in order to conduct such additional tests as may be required, provided however all test sites shall be restored to their former condition; and,

(3) The Purchaser acknowledges that one or both of the subject buildings may have some asbestos within the structures; and,

(vii) The Corporation of the City of Hamilton accepts the above Offer, and subject to the transaction being closed and completed agrees to pay a commission of 5% on the 1st, $100,000., 4% on the 2nd $100,000. and 3% on the balance of the sale price of $340,000. to Re/Max Advantage Realty Inc. realtor, whose agents Gord and Marsha Brandes, acted in this transaction.

(b) **Information Report - Costs - Walkway between Fonthill Road and Upper Paradise Road**

The Committee was in receipt of an Information Report from the Director of Property dated 1994 August 18 respecting the above-noted matter. The Committee agreed to receive this document for information purposes and no action was taken in this regard.

(c) **Property Department - 1994 Reduction Packages**

The Committee was in receipt of an Amended Report from the Director of Property dated 1994 August 24 respecting the above-noted matter.

The Committee approved the following:

(a) That approval be given to replace Council approved 1994 budget reduction package number 10 (PROP 10), which required a reduction in weekly hours for all Property Department Local 772 (International Union of Operating Employees) staff from 40 hours to 37.5 hours effective 1994 August 1, with the following alternative savings package approved by Council on 1994 May 31:

(i) Reassignment of the three City Caretakers working at Kings Forest and Chedoke Golf Courses to vacancies produced by promotions and retirements.

(ii) Contracting out the caretaking responsibilities at both golf courses.

(iii) Reassignment of the Caretaker and Cleaner working at Sir Wilfred Laurier Pool to existing vacancies and contracting out those services previously done by City staff.

(b) That upon reassignment, each of the above noted five positions be declared redundant.

6. **FIRE CHIEF - REPAIRS TO ONE (1) TRIPLE COMBINATION PUMPER**

In this regard Alderman Agro declared a conflict of interest in connection with his insurance business.

The Committee was in receipt of a report from the Fire Chief dated 1994 August 17 respecting the above-noted matter.

The Committee approved the following:

(a) That a purchase order be issued to Paling Industries Ltd., Hamilton, Ontario, in the amount of $75,191.23 including all applicable taxes, for the replacement of the fire package body including an enclosed crew cab, being the lowest of two proposals received; and,

(b) That this expenditure be financed through the Reserve for Major Repairs Centre No. 00101.

7. **TREASURER - FUNDING - PURCHASE OF ST. MARK'S CHURCH SITE, 120 (130) BAY STREET SOUTH**

The Committee was in receipt of a report from the Treasurer dated 1994 August 22 respecting the above-noted matter.

The Committee approved the following:

That as referred to in Section 22 of the Fourteenth Report for 1994 of the Parks and Recreation Committee, the acquisition of the St. Mark's Church site at 130 Bay Street South for public use and open space be financed from the Reserve for Park Lands (5% Land Dedication) Account Centre No. CH 00201.

ADDED - BINGO HALL REVIEW COMMITTEE - RELOCATION OF THE NEW AIRPORT BINGO TO 119 FENNELL AVENUE EAST

The Committee was in receipt of an added report from the Acting Secretary of the Bingo Hall Review Committee dated 1994 August 25 respecting the above-noted matter.

The Committee approved the following:

(a) That the application by 810202 Ontario Inc. to relocate the New Airport Bingo from 1565 Upper James Street to 1119 Fennell Avenue East, be approved for the following reasons:

(i) The application for relocation complies with the requirements as outlined in the Provincial Criteria and Procedures for Bingo Halls.

(ii) The Committee was advised that, as of 1994 October 1, the current operator of the Class A Bingo Hall at 1119 Fennell Avenue East will cease operations at this location. Written notification was received by the Committee that a long term leasing agreement had been signed between the owner of the property and the applicant.

(iii) The bingo hall at 1565 Upper James Street is to be demolished and the location will no longer be used as a Class A Bingo Hall.

(iv) Approval of this relocation application will provide for the continuation of bingo at 1119 Fennell Avenue East, otherwise approximately 35 charities will be searching for a new location to conduct bingo.

(v) The charities affected by this application have expressed no concern respecting the change in management of the bingo hall. Their only concern was stability in the market and increased profits for all the charities.

(b) That, as required in the Provincial Criteria & Procedures for Bingo Halls, the City inform the applicant in writing of its decision and forward the decision to the Registrar, Gaming Control Commission, Ministry of Commercial Relations; and,

(c) That, subject to the Province approving this relocation application, the City Clerk provide whatever assistance possible to ensure that the charities currently operating bingos at the affected locations are not disrupted; and,

(d) That for the information of the members of City Council, a copy of the application and other documentation is available from the Secretary.

9. OTHER BUSINESS

Alderman Cooke spoke to the Committee with respect to the possibility of the City obtaining the Lapp property. In this regard he requested that the Real Estate staff research and explore possibilities of a City purchase of this property. The Committee agreed that staff undertake this work.

Alderman Agro declared a conflict of interest in this matter in connection with his insurance business.

Alderman Copps questioned the pile of concrete and debris that is accumulating on Harbour lands. In this regard, the Chief Administrative Officer spoke on the process being used at the Harbour for land fill.

Alderman Drury spoke to the Committee with respect to the possibility that Allan Industries and Allan Candy Industries property may be available for purchase and in this regard it was indicated that the staff should investigate the possibilities of this possible purchase.

Alderman Agostino questioned the age verification in procedures in place for stripper licences and in this regard the City Clerk clarified that age is verified.

Alderman Agostino expressed concerns that the Region recently leased lands on Nash Road to Paling Incorporated. Alderman Agostino indicated that in 1987 Nash Auto Parts, which is a business abutting the above-referenced land, had expressed an interest in being notified if this land became available. Alderman Agostino advised that the owners of Nash Auto Parts have contacted him with concern that they were never advise of the availability of this land or given an opportunity to lease the land.

Mike Watson of the Real Estate Division spoke on the procedures followed and indicated that this was a Regional matter.

Following this discussion, the Committee agreed that that Chief Administrative Officer should review the process followed in this matter and report back to the Committee.

Alderman Drury spoke to the Committee with respect to the recent activities of an organization called Landsdale Foundation which is set up for fraudulent purposes, but using a community name of Landsdale to lend credibility. He requested comments from the Law Department on the City's control of its community names. In this regard Peter Barkwell of the Law Department advised that the City has no control over the names of its community groups.

The Committee then moved to an in camera session to discuss matters on its Private and Confidential Agenda.

The Committee moved back into regular session and approved the following resolutions:

AA. **CITY SOLICITOR AND DIRECTOR OF PROPERTY - New Club House/Hamilton Tennis Club - 247 Duke Street H.A.A.A. Grounds - Memphis Kendall Builders Inc.**

(a) That the City resolve lien claims by Varga Brothers Wrecking Limited, Peel Forming Limited, Andreas Mouskos Masonry Limited, Gillies Lumber Inc., Cipolla Services Ltd., Mississauga Mechanical Ltd., Frank Fraccaro, and Steel City Railings, by the payment to the lien claimants of holdback amounts totalling $10,349.67; and,

(b) That all Liens and Certificates of Action registered on the title of the City's lands at 247 Duke Street by Varga Brothers Wrecking Limited, Peel Forming Limited, Andreas Mouskos Masonry Limited, Gillies Lumber Inc., Cipolla Services Ltd., Mississauga Mechanical Ltd., Frank Fraccaro, and Steel City Railings be discharged; and,

(c) That all Court Actions commenced against the City by Varga Brothers Wrecking Limited, Peel Forming Limited, Andreas Mouskos Masonry Limited, Gillies Lumber Inc., Cipolla Services Ltd., Mississauga Mechanical Ltd., Frank Fraccaro,

and Steel City Railings, to enforce lien claims arising out of the construction of a clubhouse at 247 Duke Street, be dismissed without costs; and,

(d) That the holdback amounts be paid from account CF 5200 709141006

BB. CITY SOLICITOR AND ACTING DIRECTOR OF PUBLIC WORKS

(i) City of Hamilton -ats- Didiodato, Alpino and Teresa; Ontario Court (General Division) Action #38366/92

(a) That the City resolve Ontario Court (General Division) Action No. 38366/92 by the payment to the Plaintiffs, Alpino and Teresa Didiodato, of the sum of $16,902.59 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 38366/92 be dismissed without costs.

(ii) City of Hamilton -ats- Millward; Ontario Court General Division Action #9822/87

(a) That the City accept the Plaintiffs' Offer to Settle dated 1994 August 17, and resolve Ontario Court (General Division) Action No. 9822/87, by the payment of $10,000. inclusive of all claims for damages, interest and costs to the Plaintiffs, Muriel Millward and James McKay; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 9822/87 be dismissed without costs.

(iii) Commissioner of Human Resources - Director of Culture and Recreation Vacancy

(a) That the Chief Administrative Officer and the Commissioner of Human Resources be authorized to post and advertise for the position of Director of Culture and Recreation; and,

(b) That a Selection Committee be created, comprised of the Mayor, the Chairperson and Vice-Chairperson of the Finance and Administration Committee, the Chairperson and Vice-Chairperson of the Parks and Recreation Committee, pursuant to the City Policy on Recruitment and Hiring of Department Heads.

10. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

Alderman T. Anderson, Acting Chairperson
Finance and Administration Committee

Susan K. Reeder
Secretary
1994 August 25

B.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 12

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Pavelka, P. Eng.
Chief Administrative Officer

D. Carson
Executive Assistant to the Mayor

SUBJECT: McMaster University - Memorial Rose Garden

RECOMMENDATION:

1. That approval be given for the actions taken in authorizing the involvement of the Corporation of the City of Hamilton in contributing to the development of the Nina de Villiers Garden at McMaster University in the form of funding for the purchase and installation of two steel structures to support climbing rose bushes together with the plant material at a total upset cost of $1,200, applicable taxes included; and,

2. That the purchase and installation of this work, being undertaken by McMaster University, be funded through the unclassified account centre number - CH 24201.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This one time contribution to the development of the Nina de Villiers Memorial Garden represents a total cost of $1,200 (including purchase of support structures, plant material, installation and all applicable taxes) using the unclassified account as a funding source. Funds are available within this account.

BACKGROUND:

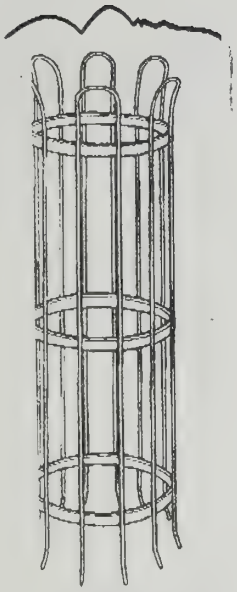
Through the office of the McMaster University President and the family of slain McMaster University student, Nina de Villiers, the City of Hamilton, through the Mayor's Office, was requested to participate in the enhancement of the memorial garden constructed on the university campus in memory of all victims of violence. Basic garden features were constructed over the 1993 season with various enhancements including benches, rose arbours, lighting and additional plant material planned as funds will allow as a result of private and public fund raising efforts, donations, etc.

A special dedication ceremony is planned at the garden for September 20 as part of the National Safety net conference being held in the City of Hamilton under the auspices of CAVEAT. The conference is expected to attract over 100 victims of violence, all of whom will be invited to attend the special dedication ceremony along with representatives of McMaster University, CAVEAT, Mayor Morrow and Members of Council.

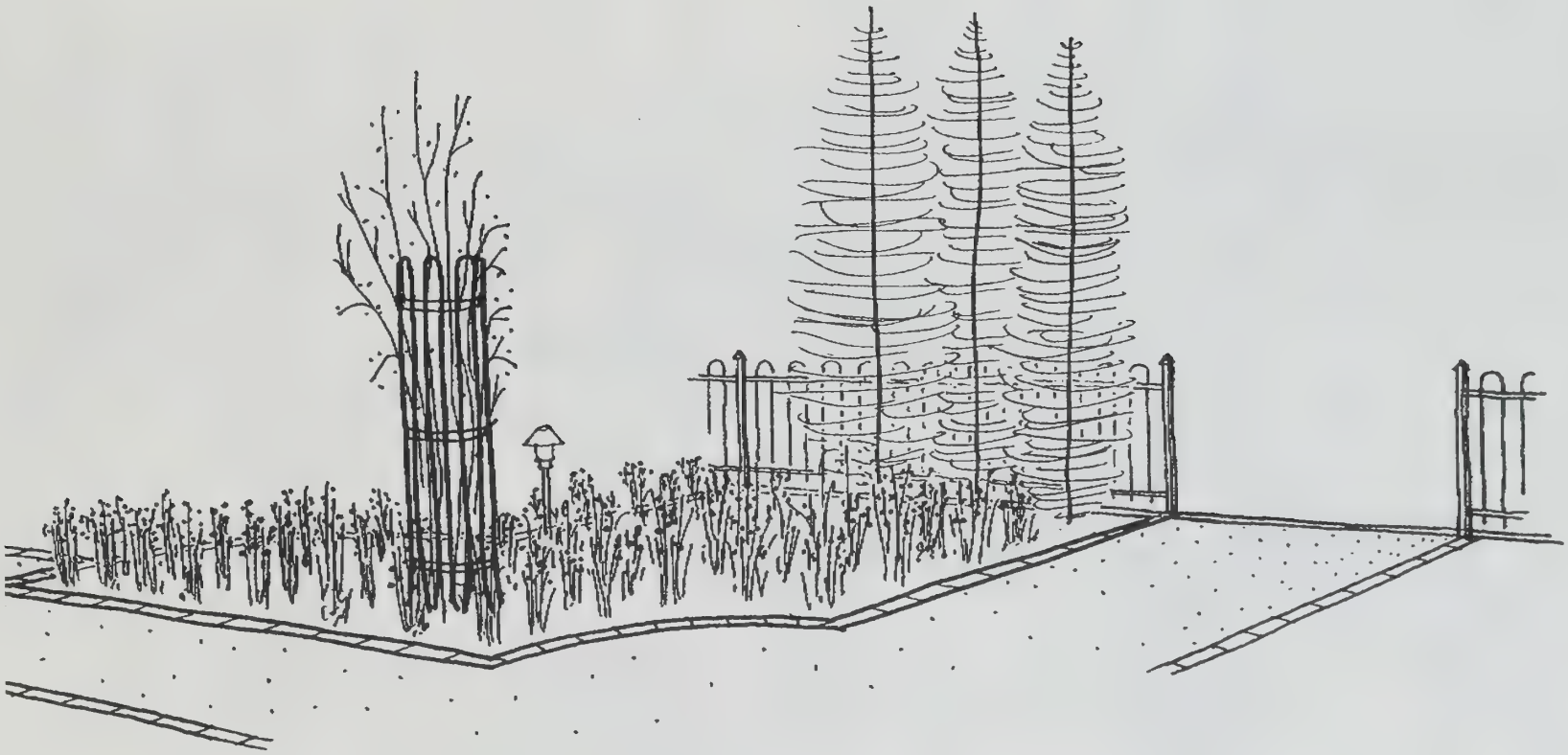
A sketch of a portion of the memorial garden together with an illustration of the steel support structure for planting roses is attached to this report.

RWC/mc
Attachment

cc: C. Firth-Eagland, Acting Director of Public Works
Allan C. Ross, Treasurer



~~2604~~ 2667
(1/2") round bar with



WALK
SKETCH W-4

MEMORIAL GARDEN
SKETCH MG-4

CITY OF HAMILTON

- RECOMMENDATION -

C. (i)

DATE: 1994 September 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Head-of-the-Lake Historical Society - Book Launch**
Use of Council Chamber

RECOMMENDATION:

(a) That approval be given to the request of The Head-of-the-Lake Historical Society to use the Council Chamber and second floor foyer on Friday, 1994 October 14 from 7:00 p.m - 9:30 p.m. for a book launch and reception.

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Head-of-the-Lake Historical Society are proposing to use the Council Chamber for a formal launch of its latest volume of historical photographs of the Hamilton area, entitled "Hamilton: Panorama of our Past". The publication will be available for sale at the beginning of October.

In 1986, the Head-of-the-Lake Historical Society held a similar book launch in the Council Chamber for their book "Around and About Hamilton 1785-1985".

JJS/SG/jt
cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
Betty Carter, City Clerk's Office

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Hamilton Association of Muslims, Christians and Jews - Use of Council Chambers**

RECOMMENDATION:

(a) That approval be given to the request of Melrose United Church on behalf of the Hamilton Association of Muslims, Christians and Jews to use the City Hall Council Chamber on Monday, 1994 October 10 (Thanksgiving Day) at 8:00 p.m. for a Service of Prayer.

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds in the approximate amount of $120. for Property Maintenance Staff overtime associated with this event is available in Account CH55222 - 10034 - Use of City Facilities by Outside Groups.

BACKGROUND:

During the Gulf War, representatives from the Muslim, Christian and Jewish communities decided to meet periodically to reflect on the historic tensions between these faith communities and to work locally at breaking down these tensions through dialogue and common efforts at building understanding and respect.

2 ...

These gatherings have continued with renewed interest through the past year and have resulted in a shared agreement to form a Hamilton Association of Muslims, Christians and Jews with a stated purpose of acting as a catalyst in the Hamilton community.

As part of this common task the Association is planning a Service of Prayer between the three participating faith communities for Thanksgiving Monday, October 10 and is requesting the use of the Council Chamber for this venue.

JJS/SG/jt

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
Betty Carter, City Clerk's Office

C.(iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **125TH Anniversary Celebration of Mahatma Gandhi**

RECOMMENDATION:

(a) That approval be given to the request of McMaster University and the India-Canada Society to use the City Hall Council Chambers and second floor foyer areas on Sunday, 1994 October 2 from 10:00 a.m - 1:00 p.m. for a celebration ceremony to mark the 125th Anniversary of Mahatma Gandhi.

(b) That the City Clerk be authorized to approve of a similar event in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds in the approximate amount of $120. for Property Maintenance staff overtime associated with this event is available in Account CH 55222 10034 - Use of City Facilities by Outside Groups.

2 ...

BACKGROUND:

Last year the India-Canada Society celebrated its 20th Anniversary in conjunction with Gandhi's birthday with an "Indiafest", Cultural Fair at City Hall. This year however it is proposed to have a scaled-down version of the celebration consisting of a ceremony in the Council Chamber and reception. The ceremony will be preceded by a peace walk from Dundurn Castle to City Hall.

The India-Canada Society, in conjunction with McMaster University Department of Peace Studies, proposes to make this celebration a yearly event on the anniversary of Mahatma Gandhi on October 2.

JJS/SG/jt

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
Betty Carter, City Clerk's Office

D. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Additional Financing Required for Local Improvements Closed in 1992

RECOMMENDATION:

That the net additional financing required in the amount of $1,996.39 for six projects whose costs exceeded approved estimates due to retaining wall construction not originally anticipated in the engineer's estimates, be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The surplus/deficit from the 1992 City's share of Local Improvements, once all projects are closed out, is allocated back to the Reserve for Capital Projects, therefore any future overruns associated with 1992 Local Improvements are financed from that Reserve.

BACKGROUND:

This item is being considered by the Transport and Environment Committee on 1994 September 19. The details of the various local improvement projects closed in 1992 for rating in 1993 are outlined in the attached report from Mr. C. Firth-Eagland, Acting Director of Public Works, dated 1994 August 26.

CK/ck

Allan C. Ross

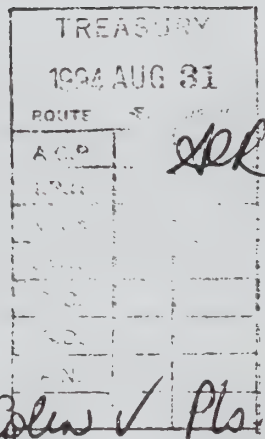
Attach

.cc C. Firth-Eagland, Acting Director of Public Works
K. Christenson, Secretary, Transport and Environment Committee

TREASURY DEPT.

CITY OF HAMILTON

- RECOMMENDATION -



Colin ✓ Pls prepare necessary Finance Report

DATE: 1994 August 26

REPORT TO: Mr. Kevin Christenson, Secretary
Transport and Environment Committee

FROM: Mr. C. Firth-Eagland
Acting Director of Public Works

SUBJECT: Additional Financing Required for Local Improvement Closed in 1992

RECOMMENDATION:

a) That the Finance and Administration Committee recommend the source of funding for the net additional financing required in the amount of $1,996.39 for the six projects shown in the summary attached as Schedule 'B'; and,

b) That the City Solicitor be directed to amend the applicable By-laws for these projects.

C. Firth-Eagland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above Recommendations.

BACKGROUND:

The attached Schedule 'A' shows a listing of various local improvement projects closed in 1992 for initial rating in 1993. Six of the eleven projects listed incurred costs in excess of the approved estimates. The larger overruns were attributable to retaining wall construction not originally anticipated in the engineer's estimates.

RPM

RPM:CFE:bg
Attch.

cc: A. Ross, City Treasurer
ATTN: G. Keith
S. Reeder, Secretary
Finance and Administration Committee

City of Hamilton
Treasury

File: LOCFIN
06/23/94

Local Improvement Projects Closed in 1992
for Initial Rating in 1993

SCHEDULE 'A'

City Centre Number (1)	Street (2)	Side (3)	From (4)	To (5)	Authorized Cost (6)	Actual Cost (7)		OWNERS' SHARE Commutations (8)	OWNERS' SHARE Debenture Issue (9)	CITY'S SHARE Actual (Col 7 less Col 8 & 9) (10)	CITY'S SHARE Approved Financing (11)	CITY'S SHARE Net Additional Financing Required (12)
	Independent Curb											
529121002	Leaside Road	north	Brighton Avenue	Dunn Avenue	40,850.00	38,505.17				38,505.17	40,850.00	(2,344.83)
	Walk & Combined Curb											
529223001	Carling Street	south	Macklin Street	98m e'ly	17,500.00	17,704.51	*		10,225.68	7,478.83	7,274.32	204.51
	Walk Only											
529024005	Upper Paradise Road	both	Stone Church Road	Lunner Avenue	140,225.00	123,167.97		23,163.84	63,161.28	36,842.85	53,899.88	(17,057.03)
529024007	Centennial Parkway	west	Delawana Drive	Barton Street	60,478.00	70,870.58	*		41,391.00	29,479.58	19,087.00	10,392.58
529124001	Nash Road	east	Barton Street	24m s'ly	3,200.00	3,396.47	*			3,396.47	3,200.00	196.47
529124002	Upper Ottawa Street	both	Stone Church Road	Rymal Road	175,910.00	183,551.12	*	13,389.96	74,946.04	95,215.12	87,574.00	7,641.12
529124004	Centennial Parkway	east	City Limits	Vineyard Road	23,750.00	27,145.39	*		15,276.00	11,869.39	8,472.00	3,397.39
529124006	Concession Street	north	Belvidere Avenue	99m e'ly	11,900.00	11,947.11	*			11,947.11	11,900.00	47.11
529124007	Upper Paradise	east	adjacent 1045 Upper Paradise	Sep. School Board	10,720.00	10,317.53		10,718.19		(400.66)		(400.66)
529224009	West 33rd Street	west	west end of Elmwood Avenue		2,500.00	2,443.46				2,443.46	2,500.00	(56.54)
529224010	East end of South Bend	north	north end of Holt Avenue		2,860.00	2,836.27				2,836.27	2,860.00	(23.73)
					489,893.00	491,885.58		47,271.99	205,000.00	239,613.59	237,617.20	1,996.39

SCHEDULE 'B'

*** SUMMARY OF PROJECTS WHICH HAVE EXCEEDED AUTHORIZED COST**

					Authorized Cost (13)	Actual Cost (14)	Excess Expenditure over Estimate (15)	as % of Authorized Cost (16)	Construction By-Law (if applicable) (17)
	Walk & Combined Curb								
529223001	Carling Street	south	Macklin Street	98m e'ly	17,500.00	17,704.51	(204.51)	1.17%	92-230
	Walk Only								
529024007	Centennial Parkway	west	Delawana Drive	Barton Street	60,478.00	70,870.58	(10,392.58)	17.18%	91-036
529124001	Nash Road	east	Barton Street	24m s'ly	3,200.00	3,396.47	(196.47)	6.14%	n/a
529124004	Centennial Parkway	east	City Limits	Vineyard Road	23,750.00	27,145.39	(3,395.39)	14.30%	91-10
529124006	Concession Street	north	Belvidere Avenue	99m e'ly	11,900.00	11,947.11	(47.11)	0.40%	n/a
529124002	Upper Ottawa Street	both	Stone Church Road	Rymal Road	175,910.00	183,551.12	* (7,641.12)	4.34%	92-013
							(21,877.18)		

D. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Additional Financing for Concrete Curb - Upper Kenilworth

RECOMMENDATION:

That the additional financing required in the amount of $10,000. for the construction of an independent curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road East, be allocated out of the 1992 City's share of Local Improvements and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The funding for this project has been provided for in the 1992 City's share of Local Improvements in the amount of $56,100, which represents the total cost of this project.

BACKGROUND:

The original cost of this project was approved at $46,100. and when the cost estimate increased to $56,100. City Council tabled approval, at it's meeting held 1992 October 27. At it's meeting held 1994 July 26, City Council approved that Section 29 be lifted from the table and referred back to to the Transport and Environment Committee. City Council further lifted Section 5(b) of the Twenty-first report of the Finance and Administration Committee respecting the financing of an additional $10,000 (provision had been made for the concrete curb construction in the 1992-2001 Capital Budget in the amount of $46,100, but the project cost increased to $56,100).

BACKGROUND:

This item is being considered by the Transport and Environment Committee on 1994 September 19. The details of this project are outlined in the attached report from Mr. C. Firth-Eagland, Acting Director of Public Works, dated 1994 September 12.

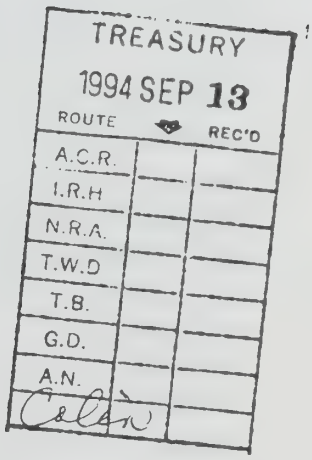
CK/ck

Attach

.cc C. Firth-Eagland, Acting Director of Public Works
K. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON

- RECOMMENDATION -



DATE: 1994 September 12

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Chris Firth-Eagland
Acting Director
Public Works Department

SUBJECT: Concrete Curb - Upper Kenilworth
(Landron Avenue to Limeridge Road East)

RECOMMENDATION:

a) That the construction of an independent curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road East proceed in accordance with Schedule 'A' at an estimated cost of $56,100. funded from the Local Improvement Projects; and,

b) That the Senior Director of Roads be authorized to construct these works once all of the necessary approvals have been received; and,

c) That the Finance and Administration Committee be requested to recommend a source of funds for the $10,000. increase in the city's share for this capital project; and,

d) That the landscape component of this proposal ($74,000.) be referred to the Parks and Recreation Committee for consideration and possible inclusion in the 1995 to 2001 Capital Budget recognizing that the major portion of the subject lands are located on the Upper Kenilworth Avenue Road Allowance.

C Firth-Eagland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Provision has been made for the concrete curb construction in the 1992 to 2001 Capital Budget in the amount of $46,100. The estimated cost of the concrete curb is $56,100.

BACKGROUND:

At it's meeting held 1992 June 30, City Council approved Section 47 of the Seventh Report of the Transport and Environment Committee which provided for the construction of an independent concrete curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road East, as a Local Improvement at an estimated cost of $46,100., as provided for in the 1992 portion of the 1992-2001 Capital Budget.

At it's meeting held 1992 October 27, City Council tabled Section 29(a)(ii) of the Eleventh Report of the Transport and Environment Committee which provided for the cost of this project to be increased from $46,100. to $56,100. In addition, City Council tabled Section 5(b) of the Twenty-first Report of the Finance and Administration Committee, which recommended that the increased cost of $10,000. be financed from the 1992 Capital Levy.

At it's meeting held 1994 July 26, City Council approved "That Section 29 of the Eleventh Report of the Transport and Environment Committee for 1992, respecting the construction of a concrete curb on Upper Kenilworth Avenue east side from Landron Avenue to Limeridge Road, which was tabled by City Council at it's meeting held 1992 October 27, be lifted from the table".

Subsequently, City Council approved "That Section 29 of the Eleventh Report of the Transport and Environment Committee for 1992, be referred back to the Transport and Environment Committee and that the Director of Public Works prepare plans for the City-owned property adjacent to this curbing and cost estimates of same".

City Council, at this meeting further lifted Section 5(b) of the Twenty-first Report of the Finance and Administration Committee respecting the financing of the additional $10,000. and referred it back to the Finance and Administration Committee.

Since the concrete curb installation on the east side of Upper Kenilworth Avenue was proposed in 1992, 22 new residential dwellings of which 19 are presently occupied have been built on the west side of Upper Kenilworth Avenue.

Parks Division staff prepared three landscaping plans for the subject area which are summarized briefly as follows:

Alternative 1

Area east of concrete curb is landscaped with placement of topsoil, creation of low berms where sufficient land area exists, seeding of all areas between fences and curb, planting of trees (38) and maintaining existing driveways. A 1.5m wide asphalt walkway is proposed in the planting strip to allow park users to walk from the parking area to the various sports fields.

Alternative 2

Southern portion is the same as alternative 1. The northern portion adjacent to the field house and football field is proposed to be used as a parking area for approximately 46 vehicles. The parking area would be designed for diagonal parking with access only on a one-way basis with access to Upper Kenilworth Avenue at existing driveway locations. A 1.5m wide planting strip of grass and trees is proposed between the parking area and the east side of Upper Kenilworth Avenue. A 1.5m wide asphalt walkway is proposed in the planting strip to allow park users to walk from the parking area to the various sports fields.

Alternative 3

Southern portion is the same as alternative 1 except adjacent to the field house where a small handicap parking and drop-off area is proposed. A 1.5m planting strip is proposed between the parking area and Upper Kenilworth Avenue. A 1.5m wide asphalt walkway is proposed in the planting strip to allow park users to walk from the parking area to the various sports fields.

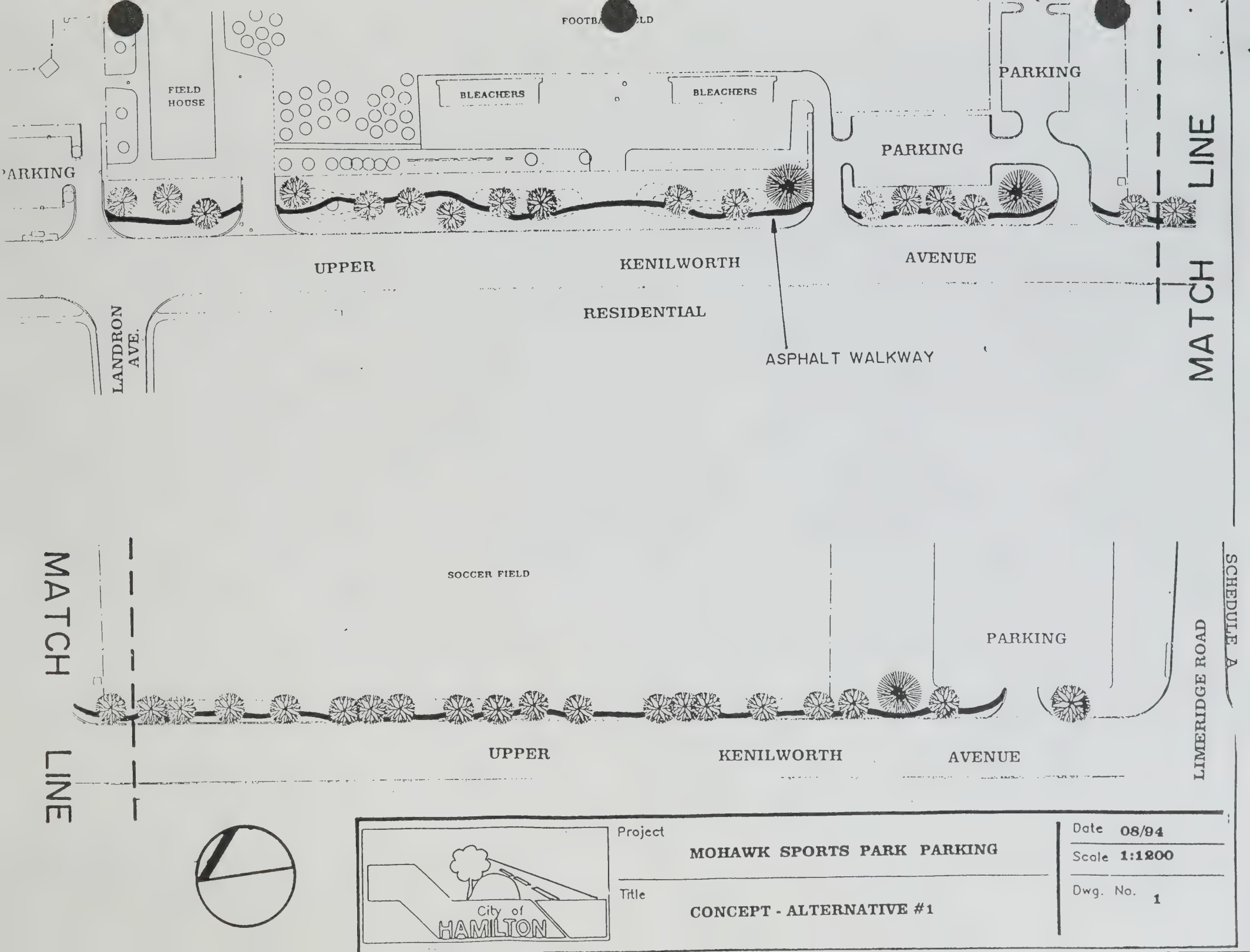
At the request of the Ward Aldermen, the residents on the west side of Upper Kenilworth Avenue were provided with a sketch and brief description of the alternatives and were requested to comment on the proposed works. Ten responses were received with six in favour of alternative 1, two in favour of alternative 2 and the remaining favouring alternative 3. The residents also commented that they appreciated having the opportunity in providing comments on the proposed works. The cost for implementing the landscaping alternative ranges from $74,000. for alternative 1, $151,200. for alternative 2 and $101,000. for alternative 3.

A copy of the recommended landscape alternative 1 is attached as Schedule 'A'. Staff feel that the existing parking areas on the eastern portion of Mohawk Sports Park can meet the demand for parking without additional parking on Upper Kenilworth Avenue, but the walking distance for park users may be longer.

The 1992 estimate for installing the concrete curb was $46,100. and the 1994 cost estimate is $56,100. In order to accommodate the landscaping of the area east of the curb, two catch basin leads would be installed when the concrete curb is constructed to avoid future road cuts.

WJP/ps WJP
Attachment

c.c. Allan C. Ross, City Treasurer, Treasury Department
P. Noé Johnson, City Solicitor, Law Department
R. W. Chrystian, Manager of Parks, Public Works Department
G. Lawson, Commissioner, Regional Finance Department
S. Reeder, Secretary, Finance & Administration Committee
D.Y. Onishi, Director, Design and Construction,
Regional Roads Department


FOOTBALL FIELD
FIELD HOUSE
BLEACHERS
BLEACHERS
PARKING
PARKING
PARKING
MATCH LINE
UPPER
KENILWORTH
AVENUE
RESIDENTIAL
LANDRON AVE.
ASPHALT WALKWAY
SOCCER FIELD
PARKING
SCHEDULE A
LIMERIDGE ROAD
MATCH LINE
UPPER
KENILWORTH
AVENUE
City of HAMILTON
Project
MOHAWK SPORTS PARK PARKING
Title
CONCEPT - ALTERNATIVE #1
Date 08/94
Scale 1:1200
Dwg. No. 1

D (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. A. C. Ross
Treasurer

SUBJECT: **Tax applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990**

RECOMMENDATION:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $131,748.89 be approved and charged to CH53307-24104 Tax Remissions.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Allan C. Ross

N/A
See above recommendation

BACKGROUND:

In accordance with Section 443, Subsection (5) of the Municipal Act, R.S.O. 1990, this Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are only valid and therefore may only be heard and approved by Council providing that certain prior conditions are met; most importantly that all applications must be confirmed and approved by the Regional Assessment Commissioner.

As the Regional Assessment Commissioner has confirmed and approved these appeals, I am recommending that the attached summary of tax appeal applications be approved and charged to the Tax Remissions Account.

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

REALTY

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
19561	030 2145 1420	1992	E	108.44
19572	020 1250 3430	1992	D	1,125.90
19577	020 1525 1330	1992	E	685.64
19620	070 6720 0460	1991	D	0
20560	050 3910 3060	1991	D	0
20561	050 3910 3060	1990	D	0
20568	030 2250 4360	1991	G	944.34
21006	020 1215 0100	1991	G	6,874.39
25177	080 8940 6110	1992	C	312.97
25382	060 5810 5460	1993	E	0
25386	080 9710 2260	1992	C	175.63
25389	070 6640 0700	1992	C	143.93
25390	070 6640 0700	1991	C	138.02
25393	060 5810 5460	1992	E	0
25397	030 2730 8150	1991	D	214.63
25399	030 2650 4580	1992	C	0
25400	030 2730 8150	1992	D	0
25415	010 0955 0460	1992	E	0
25416	010 0915 6220	1992	E	398.20
25419	010 0450 6940	1991	C	1,160.97
25420	010 0450 6940	1992	C	1,210.68
00001	070 6440 0030	1993	D	632.27
00003	020 1390 5580	1993	D	0
00006	040 3135 0940	1993	D	260.02
00034	040 2840 6140	1993	C	0
00051	070 8330 6020	1993	C	18.50
00061	030 2710 2230	1993	C	1,028.93
		TOTAL REALTY		15,433.46

City of Hamilton
Treasury
"443" APPLICATIONS

A - Out of Business
B - Reduced Space
C - Fire, Demolition, Otherwise
D - Non-Residential to Residential Conversion
E - Overcharge (Clerical Error)
F - Undercharged (Clerical Error)
G - Tax Exempt

BUSINESS

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
19597	020 1220 0010 0925	1992	E	1,586.15
19598	020 1220 0010 0920	1992	E	0
19609	020 1525 2170 0020	1992	A	1,764.85
20004	020 1820 6350 0020	1993	A	377.81
20325	020 1265 6540 0120	1992	A	0
20326	020 1265 6540 0140	1992	A	0
20332	010 0955 3640 0020	1992	A	42.68
20341	020 1530 0790 0100	1992	A	66.90
20344	020 1525 1330 0020	1992	E	350.67
20493	030 2145 6730 0040	1993	A	1,380.05
20557	030 2250 8640 0130	1992	A	1,571.95
20558	010 0915 4060 0060	1992	A	198.40
20562	030 2450 5430 0040	1991	B	0
20563	030 2450 5430 0020	1991	B	539.80
20564	030 2450 5430 0040	1992	B	0
20565	030 2450 5430 0020	1992	B	562.91
20566	020 1240 2480 0220	1991	A	1,070.74
20567	020 1240 2480 0220	1992	A	1,116.58
20569	020 1550 2650 0020	1992	E	662.11
20570	020 1610 5450 0090	1992	A	353.36
20571	020 1610 5450 0091	1992	A	101.90
20985	010 0915 3220 0020	1990	E	171.68
20986	010 0915 3190 0020	1990	E	25.75
20987	010 0915 3220 0030	1990	E	171.68
20988	010 0915 3190 0030	1990	E	25.75
20998	010 0915 3190 0020	1991	E	26.55
20999	010 0915 3220 0020	1991	E	176.98
21000	010 0915 3190 0030	1991	E	26.55
21001	010 0915 3220 0030	1991	E	176.98
21054	040 3110 0130 0020	1992	A	610.58
25148	060 7210 5910 0020	1992	B	350.56
25381	020 1240 0010 1010	1993	A	209.84
25383	020 1220 0010 3905	1993	A	16.73

BUSINESS - Cont'd

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
25384	050 4810 5690 0020	1993	A	34,556.03
25385	030 2135 5340 0040	1993	E	578.52
25387	080 9220 7320 0065	1992	A	230.80
25388	070 8710 1970 0100	1992	A	540.06
25394	050 5140 2200 0020	1991	A	0
25395	050 5140 2200 0020	1992	A	0
25396	040 2815 4270 0230	1992	A	419.88
25398	030 2450 6240 0040	1992	B	133.81
25406	020 1515 0430 1150	1992	A	616.61
25407	020 1515 0430 0140	1992	A	184.87
25411	020 1225 1080 0010	1991	E	127.64
25412	020 1225 1080 0010	1992	E	449.86
25413	020 1225 0460 3016	1992	A	214.55
25414	020 1225 0460 3016	1991	A	0
25418	010 0570 0940 0220	1992	A	239.21
00004	030 2655 1310 0320	1993	E	844.11
00007	020 1240 2480 1300	1993	B	1,199.54
00008	080 9030 8740 0060	1993	A	179.98
00009	040 3150 0310 2911	1993	A	78.85
00015	010 0955 1020 1130	1993	A	97.23
00016	020 1210 2880 0060	1993	A	67.25
00021	020 1525 1060 0020	1993	A	1,068.99
00022	050 4190 0730 0020	1993	A	817.01
00023	030 2030 6070 0040	1992	E	0
00024	050 3830 9060 0020	1993	A	1,404.97
00025	050 3830 9060 0025	1993	A	517.12
00027	050 4030 7320 0040	1993	A	111.40
00028	050 4030 7320 0020	1993	A	4,635.35
00029	020 1220 2350 0020	1993	A	485.93
00032	020 1210 2580 0010	1993	A	72.78
00033	020 1340 0280 0027	1993	A	26.40
00035	080 8910 0700 0590	1993	A	7,363.65
00036	080 8910 0700 0591	1993	A	2,078.65
00038	020 1525 1960 0170	1993	B	0
00039	020 1310 6750 0100	1993	A	8,133.84
00040	030 2710 2230 0020	1993	B	202.91
00041	010 0550 4220 0081	1993	A	66.12
00044	020 1240 2480 1120	1993	A	7,657.66
00045	020 1240 2480 1520	1993	A	6,266.87
00052	020 1220 0300 0061	1993	A	14,514.53

BUSINESS - Cont'd

Application Number	Roll Number	Appeal Year	Reason for Appeal	Tax Cancellation
00053	020 1220 0300 5000	1993	A	853.48
00056	020 1390 5940 0080	1993	A	781.31
00057	020 1220 0050 1003	1993	A	2,466.64
00058	060 6010 0040 0220	1993	A	114.01
00059	010 1035 3240 0060	1993	E	258.31
00060	060 6010 0040 0221	1993	A	11.52
00063	040 3150 0310 2910	1993	A	310.80
00064	020 1220 0050 0610	1992	A	1,599.89
00066	010 1035 3240 0061	1993	E	0
		TOTAL BUSINESS		116,315.43
		TOTAL ADJUSTMENT		131,748.89
				= = = = = =

1994 September 13
DJW/cls

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property
Property Department

SUBJECT: **Closure of Property Department Capital Projects**

RECOMMENDATION:

That the City Treasurer be directed to close the following Capital Project account with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended To Date	Balance Available	Source(s) of Financing
a) 318851001	C.U.P. Replacement /Overhaul Equipment	$410,000	$409,873	$127	Capital Levy RCP
b) 328541101	City Hall - Accommodation Requirements	$88,000	$87,997	$3	RCP
TOTAL				$130	

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The work relating to these projects has been completed, and therefore the affected accounts can be closed.

JC/dcr

c.c. Allan C. Ross, Treasurer, Treasury Department
Attention: N. R. Adhya
R. Swan, Manager, Building Operations & Maintenance Division
Attention: R. Desnoyers
J. Cerio, Manager of Administration, Property Department

CITY OF HAMILTON

- RECOMMENDATION -

F.

DATE: 1994 September 19

REPORT TO: Alderman D. Ross, Chairperson & Members
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Publication - FCM - July-August FORUM

(b) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 July 31 - report dated 1994 August 22nd.

(c) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1994 July 31 - report dated 1994 August 22nd.

(d) Minutes - Keep Hamilton Clean Committee - meeting held 1994 June 1

(e) Minutes - Hamilton Status of Women Sub-Committee - meeting held 1994 August 8th.

(f) Information Report - Treasurer - Status of Hosting, Receptions and related accounts as at 1994 August 31 - dated 1994 September 8

(g) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 August 31 - dated 1994 September 8

(h) Correspondence - Coalition for Gun Control - Municipal Positions on Gun Control - letter dated 1994 August 16th

(i) Information Report - Director of Information Systems - 1994 Information Systems Customer Survey Results - report dated 1994 September 15th

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND;

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

SKR

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

2.

September 12th, 1994

MEMO TO: Susan Reeder, Secretary
Finance & Administration Committee

FROM: Mayor Robert Morrow

SUBJECT: INTERNATIONAL SYMPOSIUM ON
HEALTH MANAGEMENT CONFERENCE

RECOMMENDATION: 1. That the City of Hamilton co-sponsor a luncheon for the International Symposium on Health Management Conference scheduled to take place at the Hamilton Convention Centre from November 12th to the 15th, 1994. That the allocation by the City of Hamilton be a maximum of $5,000.00, and that this be charged to the Special Civic Receptions and Delegation Hosting Account No. CH55314-84010.

BACKGROUND: Further to the letter of September 4th, 1994 from Mr. Dan Pugliese of the Planning Committee for the International Symposium, requesting the city host a luncheon for up to 400 delegates from around the world, it has been determined that a co-sponsorship by the City of Hamilton with another partner for the luncheon would be agreeable.

RMM/DC/pb.

cc: Ald. Don Ross, Chairman of the Finance & Administration Committee
Ald. Bob Charters, Vice-Chair of the Finance & Administration Committee

City Hall
71 Main Street West, Hamilton, Ontario Canada L8N 3T4
Telephone: (905) 546-2790
Fax: (905) 546-3915 546-2448 (TDD Only)

SEP 12 1994

INTERNATIONAL SYMPOSIUM ON HEALTH MANAGEMENT

Enhancing Quality & Controlling Costs Through Innovation

Sponsored by the Faculty of Health Sciences in co-operation with The Niagara Institute

September 4, 1994

Denis Carson, Executive Assistant
Office of the Mayor
City of Hamilton
71 Main Street West,

Dear Denis,

To follow up on our telephone conversation I would like to request financial assistance from the City of Hamilton, for the International Symposium on Health Management. This symposium is scheduled to take place at the Convention Centre on the dates of November 12 - 15, 1994. It is projected that 400 delegates from around the world will attend. I have enclosed a copy of the promotion brochure to provide you with further information relating to the symposium.

In our meeting with Bob Morrow we discussed the City sponsoring the luncheon for all of the delegates, for which he was favourably disposed. The cost for the luncheon is $10,000 and would be held at the Convention Centre. Bob also indicated that the City might be able to assist with a smaller reception for international VIP's, which would also be helpful. We have projected the cost of a small reception to cost approximately $750.

The City would be duly recognized for it's support on all promotional materials. The mayor and other city and regional officials would be invited to attend appropriate functions during the time of the symposium. The mayor would also be invited to welcome delegates to the city and region at the luncheon.

McMaster University
Faculty of
Health Sciences

1200 Main Street West
HSC 3N52D
Hamilton, Ontario
Canada L8N 3Z5
(905) 525-9140, ext 22151
FAX: (905) 521-0048

I welcome your input in assisting the Faculty of Health Science to host this most significant and innovative symposium. If there is any additional information that you may require please call me at the following number, 905/685-6615.

Regards,



Dan Pugliese, Planning Committee
International Symposium

An international contingent of world leaders in the health and social service sectors will gather in Hamilton, Ontario, Canada. The conference will be organized under four theme areas and will include a number of imaginative learning methodologies. World leaders will present insights into the management of change. "Study" organizations and groups, working actively and cooperatively on an area of change over the past twelve months will share their learnings on the management of change and the specific outcomes for their organization or group.

The Symposium will...

- Establish an ongoing international network of individuals/organizations committed to the management of change in health and social services
- Explore actual innovations which will:
  - Improve cost efficiency and effectiveness
  - Improve health outcomes
  - Improve customer (client/patient) satisfaction
  - Improve provider satisfaction
  - Maximize equity of access
  - Integrate care
- Offer practical workshops that translate learnings into "tools" for managing change
- Explore common understandings and applications of the tenets of change in health and social services

The Symposium's Four Major Theme Areas...

- **Managing a condition**
  (e.g., cardiovascular health)
- **Managing a jurisdiction**
  (e.g., a state, provincial, or national health system)
- **Managing institutional transformation**
  (e.g., health institutions, acute and chronic care)
- **Strengthening the community**
  (e.g., inner city health issues, aboriginal health)

Presenting our Advisory Committee...



John Bienenstock
Dean and Vice President
Faculty of Health Sciences
McMaster University



Iona Campagnolo
Chancellor,
The University of Northern
British Columbia



Michael Decter
Partner, APS Toronto and New York

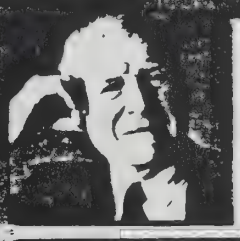


Judy Erola
President, Pharmaceutical Manufacturers
Association of Canada



Ted Marmor
Professor, Public Policy and
Management, Yale University

Fraser Mustard
President
Canadian Institute for
Advanced Research



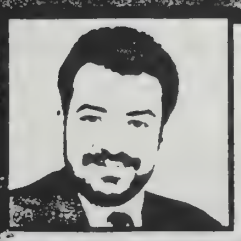


Ed O'Neil
Executive Director
Center for the Health Professions
University of California at San Francisco

Michael Peckham
Director, Research and Development
Department of Health, London, England



Kevin Smith
Director, Special Projects and
Management Development
Faculty of Health Sciences
McMaster University





John Sutton
Head, Department of Biological Sciences
Faculty of Health Sciences
University of Sydney, Australia

3.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Charlene J. Touzel, Secretary
Hamilton Status of Women Sub-Committee

SUBJECT: Appointment of Members to the Hamilton Status of Women Sub-Committee

RECOMMENDATION:

That the Selection Committee take appropriate action to fill the two citizen member vacancies on the Hamilton Status of Women Sub-Committee created by the resignation of Katherine Side and Gloria Earley-Wade.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately $200. in advertising costs; however, there would be no costs incurred if the Selection Committee filled the two vacancies from the attached list of applicants that applied the last time vacancies were advertised.

BACKGROUND:

At the 1994 August 8 meeting of the Hamilton Status of Women Sub-Committee, the Committee was in receipt of a letter of resignation from Katherine Side. A report requesting that this position be filled was forwarded to the Finance and Administration Committee, however, at the 1994 August 19 agenda review meeting, it was agreed that this matter be deferred in view of the brief period of time remaining in the term of office of Sub-Committee Members.

At the 1994 September 12 meeting of the Hamilton Status of Women Sub-Committee, another letter of resignation, from Gloria Earley-Wade, Chairperson, was received. Given that there are now two vacancies on the Sub-Committee, the Committee recommended that the Finance and Administration Committee be asked once again to fill these positions.

5.(a.)

CITY OF HAMILTON

- INFORMATION -

DATE: 1994 September 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: Consultant - User Fee Study

Background:

The original recommendation forwarded to Finance & Administration Committee on 1994 August 25th, recommending David M. Griffith & Associates be awarded the contract for the development of a User fee Study, was referred back to staff for further consideration. Staff brought forward an Information Report to Committee of the Whole on 1994 August 30 addressing the concerns of the Finance and Administration Committee and emphasized that timing is a key issue if the new user fee rates are to be incorporated into the 1995 Current Budget. The report was considered before the Committee of the Whole but not forwarded to Council at that time.

Attached for your information is the report tabled by the Finance and Administration Committee as well as the Information Report forwarded to the Committee of the Whole, outlining the concerns addressed by the Finance and Administration Committee.

Timing remains a key issue in this report. Timeframes have been revised with commencement in early October and completion and Committee/Council approval at the end of January, thus permitting the same number of consulting days and allowing for inclusion into the 1995 Current Budget. Any delay in implementing the study beyond this scope would probably result in the new fees being implemented after the next budget process sometime in the spring or summer of 1995. It is for this reason that this report is being brought forward at this time. All consultants have agreed in writing to extend the time open for acceptance of their proposals to permit a delayed start of the study.

CK/ck

.cc Allan Ross, Treasurer

J.G. Pavelka

CITY OF HAMILTON

- INFORMATION -

DATE: 1994 August 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: Consultant - User Fee Study

Background:

The original report forwarded to Finance & Administration Committee on 1994 August 25th (see attached), recommending David M. Griffith & Associates be awarded the contract for the development of a User fee Study, was referred back to staff for further consideration. Concerns on this matter were that there is a need for political participation in this process at the early review stages, and that further research should be undertaken in analyzing the process to be followed by a consultant, with a view to awarding this work to a local firm.

The Request For Proposal detailed very specific issues to be examined by the consultant in defining a comprehensive user fee policy for the City. It set out the objective of establishing fees that are closer to their actual costs but only after consideration is given to the political feasibility, existing legislation, and effects on social groups and user groups. The RFP specified that a draft report be prepared for presentation to City Management Team or a User Fee Steering Committee consisting of selected members of Management Team and as well as selected politicians. After analysis and discussion of the preliminary information, a final report would be prepared for presentation and approval of the Finance and Administration Committee in January. This final report would include a revenue/cost summary indicating results for all fee areas by department and individual fee, as well as an executive summary briefly outlining the results. The final report would then be forwarded to City Council for consideration and the consultant would be present to provide an overview of the project and its findings.

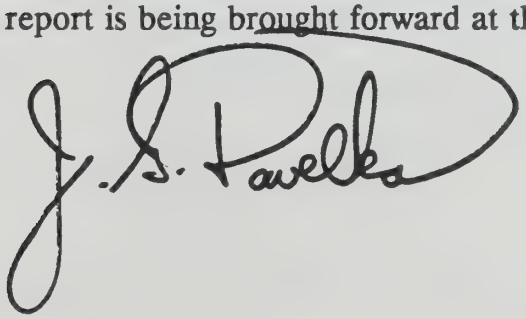
This study would not only provide detailed total costs of services and related user fees but would provide hard data for cost/benefit analyses of services, as well as being a database

Background:

for future business planning.

The second concern regarding the location of the successful firm was addressed by senior staff during the interview process. David M. Griffith have an established Canadian office and staff from that office as well as from the U.S. operation will be involved in our study. Based upon the interviews, the firm of Deloitte & Touche (using staff from Hamilton and other Ontario locations) was selected as the second choice for this study. This firm's proposal was higher than David M. Griffith at $99,510 (versus $69,550 for DMG) but had fewer consulting days. It also did not match the user fee experience of DMG. It should be noted however that their fee is also within the amount set aside and approved in the 1994 Current Budget for a study of this nature.

Timing is a key issue in this report. The timeframes established in the RFP are for the study to commence on 1994 September 6, and to be completed for Committee/Council approval in January. All consultants interviewed felt that an effective study could be performed in this timeframe, and would ensure that the findings, once approved by Council, could be incorporated into the 1995 Current Budget. Any delay in implementing the study beyond this scope would probably result in the new fees being implemented after the next budget process sometime in the spring or summer of 1995. It is for this reason that this report is being brought forward at this time.



CK/ck

.cc Allan Ross, Treasurer

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 August 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: Consultant - User Fee Study

RECOMMENDATION:

a) That David M. Griffith & Associates be awarded the contract for the development of a User Fee Study to commence on September 6, 1994 and to be completed January 2, 1995, based on a proposal submitted by them, at a firm quotation in the total amount of $69,550; and

b) That the amount be financed from account CH55406-24101 Fees-Consultants, as provided for in the 1994 Current Budget.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The consultant fees in the amount of $69,550 has been provided for in the 1994 Current Budget as approved by City Council on March 29, 1994.

BACKGROUND:

Introduction

Section 1. d) of the ELEVENTH Report of the Committee of the Whole adopted by City Council 1993 November 30 authorized the C.A.O. to prepare a Request For Proposal For For A Consultant To Review User Fee Policies and Practices of the City.

BACKGROUND:

Discussion

Cutbacks in Provincial grants through the Province's Expenditure Control Plan and Social Contract and the downloading of Provincial services, such as the Employer Health tax and Pay Equity, have led local governments to find additional revenues. The use of user fees focuses on the degree of cost recovery of specific programs by the end users. As a result, user fees avoid subsidization through tax increases where the service is not being provided to the general public, but for the specific benefit of the person charged.

To this end, the City of Hamilton needs to define a comprehensive user fee policy by determining all costs associated with services provided and establishing a uniform City wide policy of user fees. During the budget deliberations both at the time of the approval of the consolidated user fees on November 30, 1993, and during the final budget deliberations on March 29, 1994, Management Team brought to light the need to review user fee policies and practices on a corporate-wide basis to ensure that the City is not only optimizing its revenue potential but to ascertain those costs associated with providing the services involved, and establishing a central policy of user fees based on the costs established. As well, such a policy would provide a basis to identify new funding sources where fees could be assessed, and to set fees closer to their actual costs after Committee/Council/staff consideration of the feasibility, existing legislation, effects on social groups, and any impact on service demand of establishing such fees. This resulted in Council's approval to call for proposals for this study.

The proposal call was made and in response six bids were received as follows:

Company Name	**Total Costs**
C.N. Watson & Associates	$ 52,323.
David M. Griffith & Associates	$ 69,550. A $ 80,250. B
Price Waterhouse	$ 95,719.
Deloitte & Touche	$ 99,510.
KPMG Management Consulting	$123,050.
Ernst & Young	$134,820.

BACKGROUND:

Interview and Selection

On August 11, 1994, Patrice Noé Johnson, Interim Director of Culture & Recreation, Allan Ross, City Treasurer, Chris Firth-Eagland, Acting Director of Public Works, and Colin Kerr, Revenue Officer, interviewed four of the six consultants who bid, in accordance with the selection guidelines outlined in our Request For Proposal. Those interviewed were C.N. Watson & Associates, David M. Griffith & Associates, Deloitte & Touche, and Price Waterhouse.

The selection criteria used in recommending a consultant for this project include:

1. Firm's reputation for service and reliability.
2. Experience with similar User Fee Studies preferably in a public service setting.
3. Reference verification and actual results.
4. Key personnel for the project and their experience.
5. Use of specific computer software.
6. Total costs, consulting days on the job, average per diem rate.

David M. Griffith is the second lowest bidder in terms of total cost at $69,550, but has the highest number of consulting days. They have performed user fee studies for over two hundred cities/counties.

C.N. Watson & Associates was the lowest bidder but had the least number of consulting days. Although they have performed many development charge studies across Ontario, they have never conducted a city-wide study of user fees. Their proposal also relied on City staff to a greater extent and assumed that most cost information was readily available.

After interviews were completed, David M. Griffith & Associates were unanimously recommended. We have contacted five cities/counties that have used David M.Griffith to conduct user fee studies of all municipal services and all municipalities surveyed provided excellent references. One of the more recent studies was performed for the City of Peterborough where City Council approved over $640,000 through increased user fees on a user fee base of approximately $8.5 million. Staff indicated that all fees were analyzed and recommendations made, some of which senior staff/Council did not approve, and that the

BACKGROUND:

study required little city staff involvement. The study also had full senior staff/City Council support. Increases in user fee revenues as a result of Griffith studies in other municipalities have ranged from as low as $18,342 to as high as $4.5 million, all of which depends on the size of the municipality in terms of user fee revenue base as well as how proactive the municipality has been over the years in their rate increase policies.

David M. Griffith will be using a computer-based cost analysis and have developed copyrighted cost allocation software for local governments. Their software reduces the tedious effort of preparing detailed costing information which increases engagement efficiency by reducing professional time on manual calculations, as well as reduced time requirements of City staff, especially at a time when the 1995 Current and Capital Budget processes are underway and year-end activities are commencing.

It should be noted that David M. Griffith also provided a second proposal at a cost of $80,250 which provided for a comprehensive costing of central services, although for purposes of the City's RFP is was stated that their Option A would be sufficient to meet the City's needs.

Recommendations made by David M. Griffith will be provided to senior management in a draft report prior to report finalization, and based upon these discussions, the draft report will be modified as required and submitted in final form. The final report will be completed in January 1995 for Committee/Council approval and the new fee structure would then be in place prior to the 1995 Current Budget approval.

For a study of this nature to work effectively to the City's benefit requires a very strong commitment of the staff involved, and of Management Team to ensure that project results are consistent with City objectives.

CK/ck

.cc Ailan Ross, Treasurer

5(b)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 August 22

REPORT TO: S.K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P.Eng
Chief Administrative Officer

SUBJECT: **Financing of the Hanging Flower Baskets - Westdale Village BIA in 1994**

RECOMMENDATION:

a) That the City of Hamilton not reimburse the Westdale Village BIA an amount of $2,252. (now $1,500.) for the maintenance and watering of 44 hanging baskets because there has been no provision for this in the 1994 Budget; and,

b) That the Westdale Village BIA budget for this amount from either its operating budget or from the $34,000. C.I.P. (Commercial Improvement Program) received from the City of Hamilton for 1994; and,

c) That staff evolve a program for the supply and maintenance including watering for all hanging flower baskets for all the BIA's throughout the City of Hamilton for 1995; and,

d) That this program for the supply and maintenance of hanging flower baskets for all BIA's be submitted during the 1995 Current Budget deliberations.

J. G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

If approved there would be a payment of $1,500 to the Westdale Village BIA for 1994 from the City's current budget.

Currently, it is unknown how this would be funded from the 1994 current budget and any subsequent years, if the program was continued.

App'd by Committee .....

App'd by Council .....

Furthermore, if approved other BIA's within the City of Hamilton would probably like the same consideration, and if approved, this could lead to an annualized budget of between $74,500 and $93,100 depending on whether the watering is contracted out or not as outlined on the attached table, entitled "Supply and Maintenance of Hanging Flower Baskets - 1994".

BACKGROUND:

On June 09, 1994, through the attached correspondence, the Westdale Village BIA through Mr. Dan Eisner formally requested the City of Hamilton to fund the maintenance and watering of the 44 hanging baskets in their Business Improvement Area.

On July 25, 1994, through the attached correspondence, the Business Association Council wrote a letter to City Council supporting this matter on the basis that hanging flower baskets enhances the beauty the BIA and the City.

On July 26, 1995, through the attached correspondence, a second letter by the Business Association Council after a review of their membership confirmed that the Council does not fully support the application by the Westdale Village BIA. However they are recommending that the Business Association Council evolve a program with the City for all BIA's throughout the City for 1995 and subsequent years.

During its meeting on July 21, 1994 the Finance and Administration Committee reviewed the method of financing at the request of the Planning and Development Committee to finance the $1,500 for maintaining the 44 hanging flower baskets.

The Finance and Administration Committee specifically requested that the Chief Administrative Officer report back to the next meeting scheduled for August 25, 1994 and to respond to these questions:

a) Is the payment of $1,500 in conflict with City Council's recollection

b) What is the total cost for maintenance/watering of hanging flower baskets for all the BIA's throughout the City of Hamilton

c) If approved, what services will be adjusted to accommodate provision for the funding of $1,500.

Responses to Questions

a) Approval of the $1,500 would conflict with City Council's decision of 1992 to not retain the package for the supply and maintenance of hanging flower baskets for all of the BIAs.

During the budget deliberations of March 27, 1992 City Council decided to not approve the funding for the supply and maintenance of hanging flower baskets. Since that time no appropriations for this activity have been included in the budgets.

b) Based on providing and maintaining 419 hanging flower baskets throughout 5 BIAs the annual operating costs will be approximately $74,500.

c) If City Council wanted to approve the $1,500 the optimum way to finance this amount would be through a "potential" surplus of the Street Division's operating budget. Failing a surplus in the Streets Division's operating budget and a surplus from the overall Public Works Department's budget the $1,500 would be funded from any potential surplus in the overall corporate budget.

No provision was made in either the Capital or Current Budgets for the supplying and maintenance of hanging baskets. Accordingly, staff are recommending that there not be any reimbursement to the Westdale Village BIA in 1994.

Furthermore the City of Hamilton had made provision for $435,600. in the C.I.P. (Commercial Improvement Program) to go to the Westdale Village BIA for capital improvements within this BIA.

Traditionally, these Commercial Improvement Program funds have not been available for annual operating costs. However, in this one case knowing that the issue of hanging flower baskets will be addressed next year, it is being recommended that the Westdale Business Improvement Area be allowed to use funds from this program if necessary.

However, anticipating the popularity of having hanging flower baskets throughout all the BIA's and to ensure consistent commitment to the BIA's throughout the City of Hamilton, it is recommended that staff evolve a partnership program with the BIAs for the most economical method of providing hanging flower baskets.

JGP:dd

Attach.

c.c. C. Firth-Eagland, Acting Director of Public Works
B. Chrystian, Manager of Parks
J. Pook, Arborist & Horticulturist
H. Milsome, Co-ordinator of Community Renewal
A. Ross, City Treasurer

June 9, 94

Westdale Village B.I.A.
985 King St.W. B105
Hamilton Ont.
L8S 1K9
(905) 523-7551

To:
Ms. Hazell Millsome

Dear Ms. Millsome;

Re: Hanging Baskets

We would like to confirm the gracious offer by the Mayor to take full care of the 44 Hanging Baskets in Westdale village area, including watering, and other necessary plant care.
He specified that we would be retroactively reimbursed pending approval at the next meeting, for all expenses incurred and that the city would like to care for the plants.
We are pleased to accept this generous offer. Please take the necessary actions to bring the Mayor's wishes into reality.

We at the Westdale Village B.I.A. look forward to working together with your office in the future.

Dan Eisner
Liaison

D.U.
D.E
C.C
Mayor Robert Morrow
Alderman Terry Cooke
Alderman Mary Kiss
H. Millsome

Business Association Council

c/o Box 91045 Effort Square P.O., Hamilton, Ontario L8N 4G3 Tel./Facs. (905) 523-1646

25 July 1994

City Council
Council Chambers
City Hall
71 Main St. W.
Hamilton, Ontario L8N 3T4

Attention: Mr. Joe Schatz, City Clerk

To Council Members:

The Westdale Village B.I.A. has applied to the City of Hamilton for funding the purchase/maintenance of its hanging flower baskets. The amount of funding requested for 1994 is $2,252.00.

Please note that the Business Association Council fully supports this application.

Hanging flower baskets enhance the beauty of Business Improvement Areas throughout the City. It is the hope of our members that, in 1995, Council will approve funding for the purchase and maintenance of hanging flower baskets in all B.I.A.s.

Again, please note our support for Westdale's application.

Thank you for your kind attention to and generosity in this matter.

Yours truly,

Graeme McTaggart.

for the Business Association Council
Graeme McTaggart, Downtown Hamilton B.I.A.

cc. Alderman William McCulloch, Hazel Milsome (City of Hamilton), International Village B.I.A., Concession St. B.I.A., Main West Esplanade, Ottawa St. B.I.A., Barton St. B.I.A., Westdale Village B.I.A.

Business Association Council

c\o Box 91045 Effort Square P.O., Hamilton, Ontario L8N 4G3 Tel./Facs. (905) 523-1646

26 July 1994

City Council
Council Chambers
City Hall
71 Main St. W.
Hamilton, Ontario L8N 3T4

Attention: Mr. Joe Schatz, City Clerk

To Council Members:

In my letter of 25 July 1994, I stated that the Business Association Council fully supports the application of the Westdale Village B.I.A. to the City of Hamilton for funding the purchase/maintenance of its hanging flower baskets in the amount of $2,252.00.

Subsequent to the letter's publication, objections to this position have been raised by the Council's membership in sufficient number and degree to warrant the letter's amendment.

At this time, the Business Association Council does not fully support the above noted application by the Westdale Village B.I.A.

Given the success of the hanging-flower basket program in the Dowtown core (and understanding the special circumstances surrounding its approval), we remain hopeful that 1995 will see City Council approve such a program for commercial districts throughout the City of Hamilton.

Thank you for your patience in this matter.

Yours truly,

Graeme McTaggart

for the Business Association Council
Graeme McTaggart, Downtown Hamilton B.I.A.

cc. Alderman William McCulloch, J. Pavelka, C. Firth-Eagland, H. Milsome, Members of the BAC

SUPPLY & MAINTENANCE OF HANGING FLOWER BASKETS

- 1994 -

BIA	INITIAL COST	ANNUAL COST - EXCLUDING WATERING	OPTION A - WATERING BY CITY FORCES	OPTION B - REIMBURSEMENT TO BIA FOR WATERING	TOTAL
Barton General	(Based on 35 Baskets) $13,475.	$ 5,788.	$ 3,420.	$ 2,252.	Option A - $22,683. Option B - $21,515.
Concession Street	(Based on 136 Baskets) N/A - Poles Exist	$15,572.	$12,920.	$ 6,754.	Option A - $28,492. Option B - $22,326.
Main West Esplanade	N/A	N/A	N/A	N/A	N/A
Ottawa Street	N/A	N/A	N/A	N/A	N/A
Westdale Village	(Based on 44 Baskets) N/A - Poles Exist)	$ 5,038.	$ 4,180.	$ 2,252.	Option A - $ 9,218. Option B - $ 7,290.
Downtown Hamilton & International Village	(Based on 204 Baskets) N/A - utilizing street light poles	$13,362	$19,380.	$10,048.	Option A - $32,742. Option B - $23,410.
GRAND TOTAL	**$13,475.**	**$39,760.**	**$39,900.**	**$21,306**	**Option A - $93,135. Option B - $74,541.**

TOTAL NO. OF HANGING FLOWER BASKETS 419

5(d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: Use of Council Approved Funds for Continuous Improvement and other Initiatives as well as Re-structuring.

RECOMMENDATION:

a) That approval be given to broadening the scope of the use of the funds allocated for consulting assistance in Restructuring, to allow Team Building and Continuous Improvement initiatives to be funded for various Departments; and,

b) That $18,000. be provided to the Traffic Department for a Team Building initiative in the Parking Control Section to hire Ernst and Young as facilitators.

J. G. Pavelka

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above.

BACKGROUND:

The City Council has allotted $175,000. for the purpose of obtaining consulting expertise to assist with Restructuring for all City Departments. The City Management Team subsequently discussed the allocation of these funds, and other related but different needs to cope with the Social Contract budget restrictions, and downsizing of staff and, concluded that more emphasis should be placed on Continuous Improvement and other related activities rather than merely Restructuring initiatives. The Management Team believes that the use of these funds should be broadened, so that they may be used also to refine the

various processes and procedures in place, so that the various Departments can work more efficiently and effectively, with fewer staff and budgetary resources, to fulfil their respective mandates.

It is proposed to use a portion of this money for Team Building and for a Continuous Improvement initiative in the Parking Control Section of the Traffic Department. The first phase of the project would be the Team Building initiative. The project will and would be undertaken by the firm of Ernst and Young, as facilitators, and is estimated to cost $15,000. exclusive of materials and incidental costs.

MFM/ca

Attach.

ERNST & YOUNG

Chartered Accountants
4th Floor
100 King Street West
Hamilton, Canada L8P 1A2

Phone: (905) 526-8880
Fax: (905) 526-9935

August 29, 1994

PRIVATE AND CONFIDENTIAL

Mr. Marty Hazell,
Manager of Community Traffic Services
Traffic Department
City of Hamilton
City Hall
71 Main Street West
Hamilton, Canada
L8N 3T4

Dear Marty,

Re: Team Building with Supervisors
Continuous Improvement

Over the past six weeks, we have had a number of meetings to discuss your needs for a training program for the supervisory group in the Traffic Department, and the scope of a potential Continuous Improvement project. We have also interviewed each of the supervisors in order to develop an appropriate agenda for training.

This letter sets out our suggested engagement, based on our findings to date. We will describe our understanding of the current situation, our approach and a budget for conducting the work.

Our Assessment of the Current Situation

During the past nine months, there has been a change in the management staffing in the Traffic Department, due to the retirement of the coordinator and relocation of one of the six supervisors. Because of ongoing pressures to contain staff levels, the supervisor will not be replaced. A new coordinator has been recruited. In the transition period before the arrival of the new coordinator the Manager of Traffic Services and the Director of Traffic became more involved on a day-to-day basis. Through this involvement, senior department management has become aware of a number of issues surrounding the supervisory group.

Ernst & Young was asked to assist senior department management with the development of a Continuous Improvement approach to working with a team, to improve the work processes in the department. Based on initial discussions with senior management, we agreed to interview all of the supervisory staff in mid August, in order to develop a common set of issues that could be

addressed through a Continuous Improvement project. These interviews followed several months of data gathering performed by the Manager of Comunity Traffic Services.

. We were told in our interviews that:

- there is a lack of team work at the supervisory level
- communication between members of the supervisory staff, with officers and with management are inadequate
- direction and leadership have been missing at the coordinator level, in the eyes of the supervisors
- some supervisors perceive that there are no consequences for inadequate performance on the job
- parking enforcement policies and procedures, where developed and deployed, are reasonably effective and consistently applied; however, development and deployment of internal operating procedures is perceived as woefully inadequate
- roles and responsibilities of the supervisory staff and the coordinator position are not clear to the supervisors themselves and officers
- supervisory staff are highly dissatisfied with the current situation
- the job of supervisor is perceived as stressful; the major source of stress is conflict within the supervisor group
- some supervisors believe that there are opportunities to streamline and reorganize the internal paperwork

Based on these interviews, we believe that a Continuous Improvement project, following the format adopted by the City in 1991 and implemented in a number of departments to improve performance, will not be effective at this time.

Our Approach

We believe there are a number of elements that need to be put in place to build an effective team at the supervisory and management levels. We believe that all four essential ingredients of team performance are missing from this group. In addition, the group needs to believe that there is a genuine need for change in order to adopt new behaviors that resolve the issues. Therefore, any training or improvement for the team needs to address the four dimensions of the team process, which are:

- clear goals

- effective leadership
- group cohesion
- interdependent roles

We propose a two-day workshop that allows the members of the group to develop an understanding of the team process by working together in a facilitated learning environment. Training would revolve around the framework of the four elements required for effective team performance. We believe that the members of each team need to have a common understanding of the team process, and begin to take ownership of the issues that exist within the team.

During this session, participants will develop an appreciation of the needs for the four elements of the team process. In addition, we will include an introduction to the basic problem solving and process improvement approaches that are required to implement Continuous Improvement. By working together, the development of basic skills such as communication and listening can also be initiated.

Team building is an ongoing management process, not a single event. Any effective team building program that deals with interpersonal relationships and communications cannot be accomplished solely through one or two workshops. The main purpose of team building is to get team members involved in solving problems over time. For this reason, we recommend that Bill Young and Lesley Caminiti take a leadership role along with Ernst and Young in facilitating the workshop. This will allow them to build their skills and position them to assist the team with problem solving into the future.

Budget and Staffing

To date, we have spent about two days of effort to gather background information. We believe that about three person days of effort will be required to develop the training materials, and to meet with representative(s) of the Human Resources group to discuss our approach. We anticipate that two people will provide the leadership for the two-day training session, and that another day of effort will be required to follow up with attendees of the session. Our total budget estimate for performing this level of work is $15,000. Out of pocket expenses for travel, materials preparation, and other miscellaneous expenses are extra, and billed at our cost.

The workshop will be lead by Fiona Mitchell, who has been involved in the interviews of supervisory staff and preparation of this approach. She has also been involved in previous Continuous Improvement projects completed for the City of Hamilton. She will be assisted by Mike Mannella who has experience in both continuous improvement and working with teams.

We look forward to the opportunity to be of service to members of the management team in the Traffic Department. We believe that the approach outlined in this letter will be positive first steps to improving the capability of the management and supervisory teams.

If you agree with the scope of the project outlined in this letter, please indicate your acceptance of this letter of engagement by signing one copy below, and returning it to Fiona Mitchell. Please feel free to contact Fiona concerning any questions about the contents of this letter [(905) 277-7266].

Yours sincerely,

Ernst & Young

c.c. Joe Pavelka, Chief Administrative Officer
Murray Main, Director of Trafffic

6.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Building Commissioner

P. Noé Johnson
City Solicitor

G. Baker
Fire Chief

SUBJECT: Sprinklering of Existing Buildings (94.2.9, 94.2.4.2.1.A)

RECOMMENDATION:

That the Mayor be authorized and directed to send a letter to the Premier of Ontario requesting that the Ontario Government make the necessary amendments to the Ontario Building Code, The Ontario Fire Code, and the Hotel Fire Safety Act to require all hotels three storeys or higher in height to be sprinklered.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

City Council at their meeting of 1993 December 14 passed the following resolution:

(a) That the City Solicitor, Building Commissioner, and Fire Chief prepare a request for private legislation from the Province to require that all hotels/motels; new homes; rented properties; multi-use dwellings; and health care facilities install sprinkler systems; and,

.../2

(b) That the Home Buildings Associations, Lodging Home Associations, Hotel Associations, and all other relevant agencies be consulted for input to assist in the preparation of the above-noted report.

A number of staff meetings were held to address the concerns raised and subsequently a meeting was held on 1994 May 25 where representatives of various associations having an interest in this matter were invited to attend.

The following organizations were in attendance:

1. Motels Ontario and The Association of Ontario Motels, Motor Inns, and Motor Hotels
2. Canadian Automatic Sprinkler Association
3. Hamilton/Halton Home Builders Association
4. Hamilton/Wentworth Residential Care Association
5. Ontario New Home Warranty Program
6. United Autoworkers Local 853 Sprinkler Fitters Association
7. Hamilton Construction Association
8. Good Shepherd
9. Housing Help Centre

The following is a brief summary of the presentations made at the meeting held 1994 May 24.

1. Motels Ontario and The Association of Ontario Motels, Motor Inns, and Motor Hotels
Represented by: Mr. Ed Gadzala

Motels Ontario is an organization which represents motels, motor inns, country inns, bed & breakfasts, hotels, resorts, and hunting/fishing lodges in Ontario. It boasts over 800 members representing over 60% of Ontario's motel industry. Motels Ontario and The Association of Ontario Motels, Motor Inns, and Motor Hotels are opposed to the "blanket recommendation that all motels and hotels - new and old - across Ontario must install sprinklers systems". The reasons cited in the meeting are:

.../3

- The Fire Marshall has taken strong and effective measures over the years to ensure all motels/hotels in Ontario are fire safe. Fire detection systems are in place and an ongoing inspection program by the Fire Marshall's Office ensures that the systems work.

- Addition of Sprinkler Systems to all motels/hotels is an unnecessary and expensive measure.

- Restaurants already have automatic extinguishing systems above cooking ranges and deep fat fryers as mandated by Fire Regulations.

- Motels or hotels which do not currently meet the Fire Marshall's Regulations **can be closed**.

- No respectable motel/hotel operator would compromise the safety of his staff and guests (family operations pride themselves on personal service comfort and safety).

- Motels Ontario members' safety record is supported by its low Group Property Casualty insurance premiums.

Mr. Gadzala submitted that it would cost him $400,000. to retrofit his two motels (45 units in one and 35 units in the other) which might cause him to seriously consider closing his family business after 45 years in operation. Mr. Gadzala also predicted that if sprinklers were made mandatory we could expect the following:

- Many operations will be forced to close.

- Tourism (Ontario's third largest industry and employer) would be negatively affected.

- Many jobs would be lost.

- Expansion of existing establishments in Ontario would be hampered.

- Properties would be lost.

- It would be another regulatory disincentive for investors.

2. Canadian Automatic Sprinkler Association
Represented by: Mr. Larry Fronczak

The Canadian Automatic Sprinkler Association fully supports the initiative by the City of Hamilton to sprinkler buildings. Mr. Fronczak presented a video showing the advantages of sprinklered buildings and distributed informative pamphlets and news items on this subject. The following is a brief synopsis of his presentation:

.../4

- CASA represents 90% of the sprinkler contractors in Canada.
- the new fast response sprinklers are cheaper and respond more quickly in the event of fire.
- Canada has one of the worst fire loss records of the industrial world with 556 deaths and over one billion dollars in fire loss last year.
- Sprinkler protection would cut fire loss by up to 90%.
- Sprinklers are reliable. In Australia and New Zealand, statistics show that fires were controlled by the sprinkler system 99.8% of the time in sprinklered buildings. Fires in 66.6% of the cases were controlled with only one head being activated.
- In Disney World, every building larger than 1000 square feet in building area is sprinklered.
- Smoke detectors do not replace the need for sprinklers or vice versa because they do different jobs. Smoke detectors give early warning for evacuation of the residents while sprinklers work to contain and control the fire until fire fighters arrive.
- Statistics say that 45% of smoke alarms installed don't work.
- Mandatory installation of sprinklers in the City of Vancouver is projected to save the municipality $100-million over the next 20 years in fire fighting costs.

3. Hamilton/Halton Home Builders Association
Represented by: Mr. Fred Losani, President

The Hamilton Halton Home Builders Association is opposed to the mandatory sprinklering of new homes noting it is not a cost effective way to achieve safer housing. Mr. Losani drew heavily from the information and statistics contained in the Canadian Home Builders Association package which has been prepared to specifically deal with this issue (See Appendix E of the First Report of the Sprinkler Sub-Committee for the information contained in this package). A video entitled "Mandatory Sprinkler Systems in New Houses" was presented. Highlights of Mr. Losani's presentation are:

- The move to sprinkler new homes will result in more regulation and higher cost homes.
- The HHHBA supports safe housing provide the measures introduced are cost effective.

.../5

- A recent study by the Canada Mortgage and Housing Corporation projects that sprinklering of new homes will cost an additional $38-million for every life saved

- The insurance rates for a sprinklered home are about the same as for an unsprinklered home.

- HHHBA suggests that there will be no reduction in fire service personnel or costs as a result of sprinklering. There are many other functions performed by the fire department other than fire calls and fewer than 5% of fire calls are for new single and two-family dwellings.

- HHHBA suggest that a more cost effective way to save lives would be to require smoke alarms in older homes and to have one smoke alarm on each floor in new homes.

- A recent study suggests that the average cost of installing sprinklers in new houses would be $4000. per house.

- The economic impact of the increased housing cost would be to reduce the number of homes built by 25,000 annually and the resultant loss of 7,000 construction jobs.

4. Hamilton/Wentworth Residential Care Association
Represented by: Mr. John Iovio & Ms. Donna Kozar, Second Level Lodging Home Owners

The Hamilton/Wentworth Residential Care Association is opposed to the mandatory sprinklering of Residential Care Facilities. The people in these facilities are all mentally competent and ambulatory as a precondition of admission and there is 24 hour supervision of the residents. Other points noted during discussion are:

- Smoking is prohibited or restricted to certain areas in these facilities.

- Many Residential Care Facilities have recently spent considerable sums of money to upgrade under the Retrofit Section of the Ontario Fire Code. In this regard, Hamilton is ahead of most municipalities in Ontario for this type of facility (Ottawa Carlton and Windsor are the only two other municipalities to have a Second Level Lodging House Bylaw).

- Will the cost of providing sprinklers be funded by the Hamilton/Wentworth Region either by way of loan/grant or by increasing the daily allowance?

- Accidental discharge of the sprinkler head and resultant water damage is a concern.

.../6

- The ongoing cost of inspecting the sprinkler system, estimated to be $100. annually, has to be factored in .

- Wired-in smoke alarms are very effective in alerting residents to fire.

- The most common fires are smouldering fires or intimate contact fires and sprinklers are not effective in saving lives in this type of fire.

- Most people in these homes die due to stroke, cancer, or heart attack and it is more important and effective to spend money improving health care.

- There was concern over the frequency of changes to requirements. First the operators had to meet the requirements of the Second Level Lodging House Bylaw, then the retrofit section of the Fire Code (Section 9.5), and now there is discussion of mandatory sprinklering. What will be next. ?

- It would cost more than the $1. to $2. per square foot quoted to retrofit existing homes. New water services might be required from the street and the residents in the homes would be displaced while work is proceeding.

- These homes are designed to provide care to residents who might otherwise be institutionalized in a cost effective way. Raising the cost of opening and operating these facilities defeats this purpose.

5. Ontario New Home Warranty Program
Represented by: Ms. Carol Comeau

The Ontario New Home Warranty Program has concerns in three major areas concerning the mandating of sprinklers:

- **Technical Reliability**

  - Failure of the sprinkler system could result in significant damage to buildings and their contents. Who will pay for this?

  - Who will maintain the systems? Many homeowners do not do proper maintenance of their smoke alarms.

  - Who will enforce the maintenance of sprinkler systems?

.../7

- **Cost Remediation**

  - Failures occur when the system is triggered without cause, the system freezes or when there is damage during move in.

  - ONHWP claim costs would rise and may require reevaluation of the definition of secondary damage in these cases.

  - ONHWP would be faced with lengthy negotiations with private insurers to determine where warranty coverage ends and household insurance coverage begins. This would add to staff and time costs and could delay compensation paid to the consumer.

- **Consumer Protection**

  - Sprinkler systems are effective in saving property but they do not necessarily save lives.

  - Smoke alarms are more cost effective in saving lives.

  - Will the consumer be better served by reducing fire protection services and staff and possibly increasing response times.

6. U. A. Local 853 Sprinkler Fitters Association
Represented by: Mr. Lynn Morton, Business Manager

Mr. Morton advised that his organization fully supports the Hamilton proposal to sprinkler buildings. He suggested that Ontario has a very poor record on fire safety. On the East Coast they have required sprinklering in institutional occupancies for years. The recent devastating fires in basement apartments seems to indicate a need for additional fire safety. The unionized workers represented by his union are well trained and qualified to properly install such sprinkler systems.

7. Hamilton Construction Association
Represented by: Mr. Cam Nolan, Hamilton Construction Association

Mr. Nolan stated that more in depth study was required before his Association could offer an opinion on whether it was in favour of mandatory sprinklering. Some of the information and questions he suggested for further study are:

.../8

- What is the "per unit" cost of sprinkler installation and how many units require retrofitting for existing rental properties? Will landlords be able to recover the cost of installation through rental recoveries?

- What is the real need in our community as contrasted with other communities in Ontario and Canada?

- Any changes to building requirements ought to be sought through the national and provincial building codes in order to maintain uniform building standards.

- Will the requirement for sprinklers be "paid for" by relaxing other safety requirements?

- Which of the building code fire safety requirements are the most cost effective?

- What would be the actual dollar savings to Hamilton in reduced fire service as a result of mandatory sprinklering.

- Would there be an increase in municipal water service.

- What specific facilities will require retrofitting under the proposed initiative? What is the scope of the work? Would there be any exemptions?

The economic impact both positive and negative can be easily calculated once additional information is obtained.

8. Good Shepherd
Represented by : Mr. Al Whittle

Mr. Whittle expressed concern over the cost of installing the sprinklers and the impact this might have on existing facilities. If existing facilities are forced to close due to the increased costs there may be a social cost as well in terms of more homeless and more illegal converted dwellings. "For every regulatory stick there must be a carrot" and the "carrot in this case might be increased government funding to cover the cost of the sprinklers. Mr. Whittle noted that he preferred that the money be spent improving the social support system.

.../9

9. Housing Help Centre
Written submission by Mr. Dino Zuppa, Community Worker

The Housing Help Centre is in strong support of mandating sprinklers in all buildings as set out in the Sprinkler Sub-Committee's initial report. This will reduce not only lives lost in fires but also personal injury, family trauma and property damage. The cost of sprinklering would be offset by savings in insurance costs. The Housing Help Centre feels that a price tag cannot and should not be placed on a person's life.

Summary

The groups represented at this meeting raised many fine points which should be addressed before the sprinkler legislation is pursued. In particular:

- What will be the total economic impact to existing property owners in Hamilton if sprinklers are mandated. Will existing facilities be shut down? Will facilities and jobs be lost as a result? Will facilities relocate to other communities which do not require sprinklering?

- Is the City of Hamilton or the Region willing to provide financial support for retrofitting of existing facilities?

- Will there be any reduction in the cost of municipal fire service?

- Are sprinklers the most cost effective means to increase life safety in all buildings or should the requirement for sprinklers be restricted to certain sizes and types of buildings?

- Should mandated sprinklering be pursued through changes to provincial legislation?

- Should this legislation apply only to new construction rather than being retroactive ?

A full report is available to anyone wishing to see it from the Secretary of the Committee. The full report includes printed information given to staff from those making presentations.

From the above presentations, it was extremely difficult to obtain a consensus.

.../10

The staff agreed that any solution should be provincial in nature. The Ontario Building Code is intended to be a uniform Code to be used across the Province of Ontario. The Building Code Act supersedes all by-laws respecting building construction and it is the Provinces intent not to allow any municipality to pass a by-law to increase or modify the requirements for building construction.

It would seem that any provincial legislation that would require the further use of sprinkler should be subject to a proper cost-benefit analysis to try to resolve the conflicting opinions held by those affected. This should be done as part of the Province's regular review of the Ontario Building Code and the Ontario Fire Code. The Province invites participation in these reviews by all interested parties. Municipality are represented in the review by the Ontario Fire Chiefs Association, the Ontario Building Officials Association (O.B.O.A.), and Toronto Area Chief Building Officials Committee (T.A.C.B.O.C.). The City of Hamilton is a member of all these organizations.

The one area of concern identified during our deliberations were hotels, three storeys or more in height which under the Ontario Building Code may or may not be required to be sprinklered. These same newly constructed buildings could be required to be retrofitted with sprinklers immediately after construction. We were advised that the majority of motels and hotels are only one or two storeys in height and hence, would not be affected. It was also noted that most larger hotels over the last few years have chosen to sprinkler their building even it not required to do so. They have done this to alleviate the concerns of the public regarding hotel safety. Some organizations refuse to stay in unsprinklered buildings or only allow their staff to stay in the lower storeys.

LCK/dm

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 14

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L. C. King, P.Eng., Chairman
Review of the Development Charges Staff Subcommittee

SUBJECT: Development Charges By-law 90-974
(94.4.12, 94.2.4.2.1.A)

RECOMMENDATION:

1. That the staff committee represented by the Treasury, Planning, Culture and Recreation, Public Works, Fire, Traffic, and Building Departments and the Hamilton Public Library and chaired by the Building Commissioner be directed to:

   a) Act as the co-ordinating committee responsible for developing a new development charges by-law,
   b) Commence a new development charges study,
   c) Develop a proposal call for a consultant to assist in the review based on experience and fees, and
   d) Conduct a review of the development charges policies; and

2. That in accordance with the Development Charges Act, a public meeting of City Council through the Finance and Administration Committee be held to advise the public of the City's intent to review development charges policies and with the view to enact a development charges by-law; and

3. That the Law Department be added to the staff committee.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Under the Development Charges Act, the City's development charges by-law expires on 1995 March 27. Failure to pass a new by-law by the expiry date will result in revenue losses.

.../2

BACKGROUND:

On 1990 March 27, City Council passed the City's first Development Charges By-law #90-074. This by-law was passed under the Development Charges Act and imposes development charges for both residential and non-residential development. The by-law was subsequently amended in 1992 June to reduce the charges by 40%.

Under Section 6 of the Development Charges Act, all development charges by-law expire after five years. Section 6 states as follows:

> 6(1) A development charges by-law expires five years after the date it comes into force."

The development charges by-law will expire 1995 March 27 and a new by-law will have to be prepared to coincide with the expiry date.

The Development Charges Act requires the City to conduct a review of its development charges policies prior to the passing of a new by-law. The Region's recent implementation of its new development charges by-law identified a number of development charges policies which were subject to review.

To date, the following have been identified as major issues which the City's new by-law should address:

i) Review of all costs related to development.
ii) Uniform charges vs area specific charges.
    a) Infill development charge reduction.
    b) Separate rates for previously developed property and newly serviced lands.
iii) Funding of parkland acquisition.
iv) Elimination of non-residential charges.
v) Financing of off-site servicing costs for residential parcels.
vi) Changes to existing rates.

The issue of the application of development charges to lands owned by the Hamilton Harbour Commissioners has been discussed by the staff committee. The committee met with members of the Hamilton Harbour Commissioners and also the Hamilton & District Chamber of Commerce as directed by the Finance and Administration Committee. It was decided that the issue of non-residential charges is not unique to the Hamilton Harbour Commissioners and, therefore, should be included as a policy to be reviewed for the new development charges by-law. The process of public meetings will allow input from the Hamilton Harbour Commissioners and the development industry.

.../3

It is recommended that the public meeting required by the Development Charges Act be used as an opportunity for public input into issues and policies. An additional public meeting will have to be held prior to the passing of the new development charges by-law as required under Section 4(1) of the Development Charges Act.

Respecting the use of a consultant for development of a new by-law, the staff committee will report back to the Finance and Administration Committee with the cost estimate and a method of funding.

The staff committee referred to above in the recommendation was established by City Council at their meeting of 1991 July 30 to review development charges.

PCL/dm

CITY OF HAMILTON

- RECOMMENDATION -

8(a.)

DATE: 1994 September 16

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: ROOMERS AND BOARDERS TASK FORCE REPORT

RECOMMENDATION:

(1) That Licence By-law 93-069 be amended:

(a) To eliminate any duplication of regulations contained in by-laws of the Building, Fire and Health Departments,

(b) To provide for a requirement that each tenant in a lodging house have a lockable personal mailbox,

(c) To require the licence holder to post and keep posted a list of emergency telephone numbers for Fire, Health and Building Departments,

(d) To remove all reference to sex and age in accordance with Human Rights Legislation, and

(e) To require the owners or operators of a lodging house to obtain a Certificate of Compliance pursuant to the Property Standards By-law 74-74, from the Building Department for each lodging house, commencing in 1995, upon first renewal of those with an existing licence, when a new licence is issued, when a licence is transferred (provided the Certificate of Compliance on the premises is 3 years old) and every third anniversary thereafter.

(2) That the attached By-law, as drafted by the Law Department, giving effect to the above noted recommendations be enacted with an effective date of 1995 January 1.

(3) That the Planning and Development Committee be requested to direct the Planning and Development Department to review the definition of a lodging house and associated definitions in Zoning By-law 6593 in light of the recommendations of the Roomers and Boarders Task Force.

(4) That the City Clerk be authorized and directed to co-ordinate Training Sessions for lodging house owners and staff prior to the issuance of the licence renewal. Follow-up Training Sessions are to be conducted once yearly for owners and staff of new lodging houses.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Revenues from the fees collected for Certificates of Compliance issued by the Building Department for approximately 55 existing Lodging Houses will cover the cost of the necessary inspections. Approval of the above recommendations will result in increased inspections in the City Clerk's Department, which can be accommodated within the departmental budget.

BACKGROUND:

The joint report of the City of Hamilton and Regional Municipality of Hamilton-Wentworth Roomers and Boarders Task Force approved by Regional Council on 7 June 1994 was received by the Finance and Administration Committee on 23 June 1994 and was referred to staff for review and subsequent report on those recommendations under the City's jurisdiction. A copy of the Task Force's recommendations are attached for reference purposes.

With the exception of Recommendation 5 (Rewrite Health By-law 4798), all recommendations have been reviewed by Staff in the City Clerk's, Fire, Building, Law and Planning and Development Departments.

Before implementation of Recommendation #1 of the Task Force's Report which would redefine a lodging house to include a facility that provides sleeping accommodation for four or more lodgers who share cooking or bathroom facilities, it will be necessary for the Planning and Development Department to have completed their review of the Zoning By-law. By amending the definition, a number of unregulated facilities, which are operating in the manner of a Lodging House, will come under the scope of the By-law. It should be noted that this will not solve the issues related to student housing.

Recommendation 1(a) will eliminate unnecessary duplication with other applicable by-laws and Provincial Codes and will make the By-law clearer. It will still be necessary for Lodging Houses to comply with the other by-laws and codes as a condition for the issuance of a licence.

Recommendation 1(b) was an issue identified by the Task Force and should not have a significant impact on the owners of lodging houses. Most lodging houses already provide for lockable personal mail boxes.

Recommendation 1(c) will require that emergency telephone numbers for the Fire, Health and Building Departments be posted. With the approval of recommendations 1(b) and 1(c), letters

will be sent to each lodging house and follow-up inspections carried out in order to ensure that all proper information is posted for the tenants' use as recommended in the Task Force's Recommendation #15.

Recommendation 1(d) is required by the Human Rights Legislation.

Recommendation 1(e) pertains to a new requirement for all existing and new lodging houses to obtain a Certificate of Compliance under the Property Standards By-law. This will ensure that all lodging houses identified as being in substandard or deteriorated condition meet the requirements of the By-law.

The By-law will take effect on 1995 January 1 and will give staff sufficient time to notify lodging house owners of the new requirements.

With regard to the Task Force's Report which deals with issuance of licence renewals being spread evenly throughout the year (Recommendation 6), this recommendation cannot be implemented at this time because the current computer system cannot handle staggered licence renewals. The licensing computer program will be reviewed in order that the necessary improvements can be made, including a staggered renewal system.

The Task Force's Recommendations #7 and #8 deal with the manner in which the City licenses and inspects Lodging Houses. Staff, in future, will be carrying out at least one yearly inspection, which is similar to that which is presently being conducted in Second Level Lodging Houses. This will ensure that compliance with all applicable by-laws is maintained. Yearly Inspection Reports will be sent to the Clerk's Department for review prior to issuance of the licence renewal.

As the necessary inspections can be accommodated within the various departmental budgets and current staff complements, it will be unnecessary to raise the annual licence fees currently at $150.00 (Recommendation #10). With respect to the Certificates of Compliance, a fee is collected by the Building Department to cover these inspections.

Recommendation #4 (Task Force's Report #12 and #13) will be undertaken so that Lodging House Operators will be required to attend a Training Session prior to issuance of the licence renewal. Following the initial session, training will be conducted once yearly for the owners and staff of any additional lodging houses and will involve the Fire, Building, Health, Social Services and Clerk's Departments.

c.c. L. King, Building Commissioner
G. Baker, Fire Chief
F. Scott, Medical Officer of Health
P. Noe Johnson, City Solicitor
V. Abraham, Director of Local Planning

1.0 Recommendations

Comprehensive Definition

1. *That the definition of Lodging House in the Licencing ByLaw 93-069, Schedule 28, and the Zoning By-law 6593, be changed to conform with the Ontario Fire Code definition of* ***Lodging, Boarding and Rooming Houses****. The definition of a Lodging, Boarding and Rooming Houses is given on page 3 of the report.*

2. *That owners of unregulated houses be required to apply for a licence, once the definition of a lodging house is changed, if they qualify as lodging houses.*

3. *That Licencing By-Law 93-069, Schedule 28 be reviewed and eliminate duplication with other local by-laws.*

4. *That Licencing By-Law 93-069, Schedule 28, section 2(j) be revised to remove references to sex and age.*

5. *That the Health By-Law 4798 be repealed and the re-written Health By-Law be implemented.*

Annual Inspections

6. *That the Licensing of Lodging houses, by the Licensing Division, be maintained. Renewals should be spread evenly throughout the year, with inspections occurring at the time of renewal.*

7. *That the Fire, Health and Building Departments send reports, as requested by the Licencing Division prior to the issuance of a licence and upon renewal. The inspections leading to the reports should be conducted evenly throughout the year.*

8. *That resources be allocated or increased to permit annual inspections by the Licensing and Health Departments. These inspections should be conducted evenly throughout the year.*

9. *That Licencing By-Law 93-069, Schedule 8, be revised to require the owners or operators of a lodging house to obtain a Certificate of Compliance, pursuant to the Property Standards By-law 74-74, from the Building Department for each lodging house, commencing in 1995, upon first renewal of those with an existing licence, when a new licence is issued, when a licence is transferred and every third anniversary thereafter.*

10. *That the licence fee be increased to $250 to offset some of the cost of annual inspections.*

11. *That a list of emergency numbers (fire, health, building inspections) be posted by the owner or operator of the lodging/rooming house with the licence.*

12. *That all operators must attend a training session before a Licence is issued (first renewal, new applications and transfer of licences). The penalty for not attending would result in a delay in licence renewal and may result in a show cause hearing before the Licensing Committee. As part of this training session, an information package be provided to Landlords by the Licensing Division. There will be financial implications in conducting the training.*

13. *That the Licencing Division co-ordinate the first session with the Health Department, Social Services Department, Building Department and the Fire Department. Subsequent sessions are to be carried out by the latter four. Community agencies should be invited to participate in planning this session.*

14. *That the Licencing By-Law 93-069 be revised to require the landlord to provide each Lodging House Tenant be provided with a lockable personal mailbox.*

15. *That the revised Licencing By-Law 93-069 ensure all proper information is posted for the Tenants' use by sending a letter from the Licensing Division to all Licensed Lodging homes and doing followup inspections.*

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Replace Schedule 28 of Licensing By-law No. 79-323

As Consolidated in By-law 93-069

Respecting:

LODGING HOUSES

WHEREAS Schedule 28 to Licensing By-law No. 79-323, as consolidated in By-law 93-069 provides for the licensing of lodging houses and their keepers;

AND WHEREAS it is desirable to add to the requirements for lodging houses, and eliminate duplication of other by-laws and codes;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That Schedule 28 of By-law No. 79-323 as consolidated in By-law 93-069, be repealed, and the following substituted therefor:

SCHEDULE 28

LODGING HOUSES

Interpretation

1 Definitions:

(a) "lodging house" means a nursing home and any house or other building or portion thereof in which four or more persons are harboured, received or lodged for hire, and where lodging rooms are without kitchen facilities for the exclusive use of the occupants, but does not include a hotel, hospital, nursing home, home for the young or the aged or institution if the hotel, hospital, home or institution is licensed, approved or supervised under a general or special Act other than the Municipal Act; and

(b) "second level lodging house" means a lodging house as further defined in City by-law 80-259 as amended.

Licence Required

2.(1) No person shall operate a lodging house in the City of Hamilton, unless the keeper of the lodging house first obtains and maintains a licence under this by-law for the keeping and operation of that house.

(2) Subject to sections 6 and 7 of this Schedule, second level lodging house licences and applications shall be dealt with under this by-law.

Miscellaneous Requirements for Lodging Houses

3.(1) The keeper of a lodging house shall ensure that the lodging house is so designed, constructed, equipped and maintained as to be in compliance with applicable laws and this by-

law, and available and suitable for the use of residents, and, without restricting the generality of the foregoing,

(a) There shall be at least one water closet, one wash basin, and one bath tub or shower bath in a separate room or compartment, for every seven residents, based on the lodging house capacity for residents or the actual occupancy, whichever is greater.

(2) Without restricting the generality of (1), the keeper of a lodging house shall ensure,

(a) That the building and all facilities are maintained and used in accordance with the standards provided in this by-law, and that the same and all equipment, furniture and furnishings are kept in good repair and in clean and sanitary condition, and available for use by residents;

(b) That each resident of the lodging home is supplied with a separate lockable mail box;

(c) That a register is maintained at the lodging house, with the name and signature of all residents, their usual residence or if none their last residence, the date of entry to and date of departure from the lodging house, and type of identification produced by the resident to the operator or staff of the lodging house;

(d) That there is provided at all times an adequate supply of clean towels for each individual, and other customary toilet supplies, and that all water-closet accommodation and toilet accommodation is provided without extra charge;

(e) That there is posted along with the licence certificate a notice signed by the operator, giving his name, address and telephone number, and the name, address and telephone number of the employee or agent in charge of the particular premises, along with the emergency telephone numbers for Fire, Police, Building and Health Departments.

(3) Subject to (4), a person applying for or transferring a lodging house licence shall provide with the application, for each lodging house property, a certificate of compliance issued to the person under property standards by-law 74-74 as amended, the date of which is no more than 45 days before the date on which the Licence Committee considers the application for a licence.

(4) A lodging house licence holder applying for renewal of the licence shall comply with (3), unless there is a certificate of compliance issued to the licence holder under property standards by-law 74-74 as amended, the date of which is no more than three years before the date on which the Licence Committee considers the application for a licence.

(5) A person applying for a licence shall attend a training session conducted by or on behalf of the City, prior to issuance of a licence.

Inspection

4. The medical officer of health, the chief licence inspector, or a police officer, may at all reasonable times make inspection of any lodging house and of the records required to be kept, and either of the former two said officials may delegate such duty to a subordinate.

5. The amount of the licence fee for a licence granted under this Schedule, except the fee for a second level lodging house licence, is provided in section 28 of Schedule 45 of this by-law.

6. The provisions of and licence fees in by-law 80-259, as amended, continue to apply to second level lodging houses.

7.(1) The issuance, revocation and administration of second level lodging house licences shall be dealt with under the provisions of this by-law.

(2) Sections 3 and 4 of this Schedule shall not apply to second level lodging houses.

2. This by-law comes into force and effect on January 1, 1995.

PASSED this **day of** **A.D. 1994.**

CITY CLERK MAYOR

8(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Extension of Terms of Office for Citizens Appointed to City Committees, Local Boards and Commissions

RECOMMENDATION:

That the terms of office for the existing citizen members of the various City Committees, Local Boards and Commissions expiring at the end of 1994, be extended until 1995 February 1 or until their successors are appointed, to allow the Committees, Local Boards and Commissions to function until such time as the newly elected Council has had an opportunity to undertake the necessary actions to fill these vacancies.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: n/a

BACKGROUND:

In 1991, City Council extended the terms of office of the citizen members on the various Committees, Local Boards and Commissions to 1992 February 1 given the Municipal Election, to give the new Council an opportunity to settle into their newly elected positions, interview the applicants and recommend their appointment to the appropriate Standing Committees or City Council.

9.(a.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1994 September 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Interim Financing Grey Cup Festival 1996

RECOMMENDATION:

That the financial commitment required at an estimated amount of $1,520,000 for the Grey Cup Festival '96 be temporarily financed from the Reserve for Working Funds, Account Centre No. CH 00172 with an expectation of full cost recovery.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: Allan C. Ross

The financing is an interim upfront position with a view to fully recover the $1,520,000 which is required to meet the bid requirements for the 1996 Grey Cup. Interest on the Reserve noted above will be lost to the extent that this Reserve has provided this interim financing.

BACKGROUND:

Section 2(c) of the FOURTH Report of the Parks and Recreation Committee for 1994 adopted by Council on 1994 March 8 states the following:

> "That the financial commitment required in 1996 for the Grey Cup Festival '96 and transportation considerations necessary for satisfying the Bid specifications, in the amount of approximately $1,520,000., on a full cost recovery basis be referred to the Finance and Administration Committee to determine a method of interim financing; and"

In August of this year the City was awarded the 1996 Grey Cup. As requested by the Parks and Recreation recommendation interim financing is necessary to address the bid requirements estimated at $1,520,000. The financing recommendation is only an interim measure with an expectation to fully recover these costs from the community, private sector and other levels of government and the proceeds of the Festival.

DKB/dkb

9. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan Ross
Treasurer

SUBJECT: Post Audit Letter
Recommendations and Comments Concerning
Accounting Systems, Procedures and Controls
For 1993

RECOMMENDATION:

That the 1993 management post audit letter containing recommendations and comments affecting the City's accounting systems, procedures and controls and subsequent management action be accepted.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached is the 1993 Management Letter issued by MacGillivray Chartered Accountants on the City's operations for the Committees review. Included in the management letter are the observations or weaknesses of the existing systems audited, recommendations for strengthening these systems and the corrective action taken by management.

MacGillivray
Partners

Chartered Accountants

Standard Life Centre, Suite 650
120 King Street West
Hamilton, Ontario L8P 4V2
Telephone: (905) 523-7732
Facsimile: (905) 572-9333

Bruno K. J. Bragoli
W. Michael Cashion
Michael G. Collyer
Colin C. Dalingwater
John C. Dow
Paul Gibel
Bruce R. Horsley
William B. Stephenson

September 14, 1994

Mr. Allan C. Ross
Treasurer
Corporation of the City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Ross:

We enclose our completed 1993 post audit letter which includes management comments. If you wish to discuss this further, please do not hesitate to contact me.

Yours very truly

MACGILLIVRAY PARTNERS

per Michael Collyer

Michael G. Collyer, FCA
Partner/b
Enclosure

CITY OF HAMILTON

POST AUDIT LETTER

RECOMMENDATIONS AND COMMENTS CONCERNING ACCOUNTING SYSTEMS, PROCEDURES AND CONTROLS FOR 1993

JUNE 1994

PREVIOUSLY REPORTED UNRESOLVED WEAKNESSES AND WEAKNESSES NOTED IN 1993 FOR THE FIRST TIME

CONTENTS

	Previously Reported Unresolved Weaknesses		Weaknesses Noted In 1993 For the First Time	
Areas	*Number of Recommendations*	*Page Numbers*	*Number of Recommendations*	*Page Numbers*
Trust Funds	1	1		
Parking Authority	2	2		
General	1	3		
Investments			1	4
Prepaid Insurance			1	5
Accounts Payable			1	6
Goods and Services Tax			1	7
Hamilton Public Library			1	8
Hamilton Municipal Retirement Fund			1	9
Hamilton Non-Profit (Hamilton) Housing Corporation			1	10
			1	11

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
TRUST FUNDS		
Previously Reported Weaknesses		
1. We have recommended improvements for the accounting of the Trust Funds in previous management letters. Since our first of such recommendations we have noticed significant improvement in this area. However, in the financial statement for the Trust Funds, the imbalance amount did not agree to the amount shown in the City's financial statements.	The imbalance amount between the Trust Funds and the City should agree.	Recommendation accepted. The Supervisor of Accounting will ensure that the imbalance amount between the Trust Fund and the City agree prior to closing the financial records.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
PARKING AUTHORITY		
Previously Reported Weaknesses		
1. In December, cash and cheques are received for monthly parking for January of the following year. These receipts are not deposited until January although they are collected in December. They are kept in the safe until January. The possibility of funds being lost or misappropriated increase if cash is not deposited promptly.	Cash should be deposited promptly. Any monies received for January monthly parking should be credited to an account called "Deferred Revenue".	Recommendation accepted. The distribution of cash receipts at year end will be changed to reflect the January parking revenue collected in December.
2. There were some recommendations that were made to the Parking Authority as part of a special engagement to review the Systems and Procedures over the revenue at the Parking Authority.	The recommendations arising from our review of the Systems and Procedures over the revenue at the parking Authority should be implemented.	The recommendations of the Systems and Procedures review have been presented to the Parking Authority Board and accepted.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
GENERAL		
Previously Reported Weaknesses		
The journal vouchers require four signatures (i) prepared by (ii) authorized by (iii) supervisor of accounting (iv) manager of accounting. Each of these signatures should be different. During our audit we saw many journal vouchers which were prepared by and authorized by the same person. Circumventing the system in this way could lead to errors or inappropriate entries being made.	Journal vouchers should not be prepared by and authorized by the same person. Ideally, each journal voucher should be signed by four different people. The person authorizing the journal voucher should be someone at least one level above the preparer.	Recommendation accepted. Staff will monitor to ensure proper authorization of journal vouchers.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
GENERAL		
Weaknesses Noted In 1993 For the First Time		
1. Many of the City's transactions are recorded via journal vouchers. In an ideal world each transaction would be recorded and charged to the proper accounts on one journal voucher. We understand that occasionally posting errors will be made or a decision will be made to charge an item to another account that would necessitate a correcting journal voucher. However, during our audit we came across transactions which had for example, five or six journal vouchers. As a result, it becomes difficult to determine the substance of the transaction as components are charged to and removed from a number of accounts. Besides making items difficult to follow from an audit point of view, it increases the possibility of an error or unnecessary entry being made.	An effort should be made by the people preparing the journal vouchers to record the transactions on as few journal vouchers as possible in order to avoid postings to incorrect accounts.	Recommendation accepted. Accounting staff will review substance of journals to ensure that the entry meets accepted practices.
For example, an amount of $ 274,986.35 representing the Region's share of write offs and supplementary taxes was included in Cash (as an outstanding deposit) Accounts receivable Accounts payable Revenue (credited against expenditures) when it should have been included only in Cash and Revenue (credited against expenditures).	The recording of non-routine transactions should be reviewed to determine the substance of the transaction and to determine that the transaction has been properly recorded.	

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
INVESTMENTS		
Weaknesses Noted in 1993 for the First Time		
Accrued interest on long-term investments is calculated by comparing the interest income from the Interest / Amortization Calculation and Report to the ledger balance and booking the difference as accrued interest. The system only works if the Interest / Amortization Calculation and Report is complete and accurate. We found that there were some inaccuracies in the report, ie. investments purchased during the year had interest income calculated for the entire year rather than only for that part of the year that the investment was owned.	Calculation of accrued interest receivable should be done on an investment by investment basis.	Recommendation accepted. Procedures have been altered to permit calculation of accrued interest receivable on an investment by investment basis.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
PREPAID INSURANCE		
Weaknesses Noted In 1993 for the First Time		
1. We were provided with listings of the prepaid insurance held at the year. The balance in the prepaid insurance account did not agree to the balance on the listing. The difference of $ 97,591, although not material for audit purposes, is significant enough to warrant mention.	The prepaid insurance balance in the accounts should agree to the balance on the supporting documentation. If it does not agree, investigation should be made of the differences and an adjustment should be made.	Recommendation accepted. The Supervisor of Accounting will ensure the correctness of the information.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
ACCOUNTS PAYABLE Weaknesses Noted in 1993 for the First Time Included in accounts payable at December 31, 1993 was $ 135,000 for two comprehensive audits. These comprehensive audits were approved in 1993 to be financed from 1993 General Surplus. In March 1994, we contacted the department heads of the departments subject to the comprehensive audits. Both of these people told us that no work had been started at that date. The Municipal Financial Reporting Handbook states that "expenditures should be recognized in the accounting period in which they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay." As no services were received by December 31, 1993, the expenditure and consequently, the liability did not exist at that date regardless of the approved source of financing.	A year end review should be made of the accounts payable and accrued liabilities set up to ensure that they represent valid liabilities as at the year end and comply with the Municipal Financial Reporting Handbook. It may be possible to set up a reserve to cover these types of items. We would be willing to discuss this with you prior to year end to determined a reasonable amount.	Recommendation acccepted. Steps will be taken at year end to ensure that items set up in accounts payable and accrued liabilities comply with services and goods received. Further contingent liabilities will be forwarded for Committee/Council Approval and set up in a reserve.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
GOODS AND SERVICES TAX		
Weaknesses Noted in 1993 for the First Time		
1. As part of our audit we select a sample of cheques paid during the year and test to ensure that the GST is properly calculated and recorded. Our testing revealed two items whereby the GST was charged to the expenditure account rather than the GST recoverable account. Our findings were discussed with management and we decided to extend our sample and found one more error. The projected balance of these errors was not material but we noted that they occurred in the following situations. • the invoice showed only the total invoice amount and did not break down the purchase price and the GST. As a result, no GST was calculated when entering the invoice • the invoices were prepared manually by the vendors and the GST was calculated incorrectly	When entering invoices, the clerks should be on the lookout for unusual types of invoices to ensure that the treatment is correct.	Recommendation accepted. Staff are reviewing expenditure to ensure compliance with GST legislation.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
HAMILTON PUBLIC LIBRARY		
Weaknesses Noted in 1993 for the First Time		
Three of the Trust Funds (Special Gifts Fund, Capital Endowment Fund and Centennial Buy-A-Book Campaign) have significant amounts due from the Operating Fund. If the Trust Fund received this cash it could invest it to earn income. At the present time no investment income is being earned on these balances. Similarly, the F. Walden bequest has a significant amount owing to the Operating Fund. As a result, it is earning investment income that could be argued as belonging to the Operating Fund.	The amounts due to / from the Operating Fund should be cleared up and subsequently kept as close to NIL as possible.	Funds that were expected to be paid out of the Operating Fund on behalf of these funds in 1993 and prior years were not approved for expenditures resulting in the amount due from the Operating Fund. The amounts due to/from the Operating Fund will be cleared up in 1994.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
HAMILTON MUNICIPAL RETIREMENT FUND		
Weaknesses Noted In 1993 For The First Time		
1. Asset mix guidelines have been set for the fund by management and the board. Our evaluation of the mix as at December 31, 1993 indicated that the guideline was not met by the foreign equities in the portfolio managed by Sceptre Investment Counsel. The current guideline limits the foreign equities to 0-10% of the book value of the fund. The position of December 31, 1993 was 17.4% of the book value. The mix is within the proposed guidelines for the upcoming year, but not the current guideline.	Management should review the asset mix on a periodic basis with the prescribed guidelines. Any deviations should be promptly reported to the board.	Recommendation accepted. New asset mix guidelines limits were presented to the Committee in 1993 but were not approved at the HMRF Committee until January 26, 1994. Management will review the asset mix on a quarterly basis.

OBSERVATION OF EXISTING SYSTEM	RECOMMENDATIONS FOR STRENGTHENING SYSTEM	MANAGEMENT COMMENTS
MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION Weaknesses Noted In 1993 For The First Time As part of our testing of the rent revenue (specifically rent-geared-to-income) we select a sample of units and agree the rent recorded to the rent that should be recorded according to the lease agreements. In our sample of 32 we found eleven with differences. Although none of the eleven had very large differences and when we projected these differences over the entire population of rent we did not get a significant difference, we feel that it is important that management be made aware of this.	Management should periodically check for accuracy the calculations being made by the property managers.	Property Managers have been instructed to examine all tenant rental records on an annual base and make the appropriate adjustments.

9. (c)

CITY OF HAMILTON

- INFORMATION -

DATE: 1994 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Outstanding assessment appeals settled in 1994

BACKGROUND:

During the year 1994, the Assessment Review Board has processed Minutes of Settlement for three major commercial and industrial assessment appeals (Stelco, Holiday Inn and J.I. Case) which have been outstanding for a number of years. To date the City has refunded approximately $2,000,000. in tax overpayments for the Stelco and Holiday Inn appeals and is in the process of making the tax refunds for the overpayments on the J.I. Case account which is expected to be in the range of a further $2,000.000.

The estimated amount of $4,000,000. for these extraordinary items is over and above the amount budgeted for remissions for the year 1994 and these payments will have to be recovered by the City from each of the bodies for which these taxes were levied.

Based on the 1994 tax levies, a preliminary estimate for the distribution of the recoveries for these items would be as follows:

City share (26%) - $1,040,000.
Region share (27%) - $1,080,000.
Education share (47% - $1,880,000.

The exact calculations based on the years involved and the distribution of the Public and Separate School Board's share has yet to be determined.

The Assessment Commissioner has advised me that these settlements should clear up the majority of the large commercial and industrial assessment appeals which have been outstanding in the City of Hamilton for the past several years.

These amounts will be charged to the remission account and recovered from the Region and the Boards of Education in 1995 in accordance with our established procedures.

For your information, an amount of $750,000. was set aside in a reserve account from the 1993 surplus to help fund the City's share of these extraordinary items which are presently estimated at $1,040,000.

Allan L. Ross

TWD:jc

9.(d.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Hamilton Steelers Soccer Club - Rental Arrears for the use of Brian Timmis Stadium

RECOMMENDATION:

That outstanding rental arrears and stadium clean up charges due from the Hamilton Steelers Soccer Club for the use of Brian Timmis Stadium for the 1990 & 1991 season in the amount of $50,693.18 be written off and charged to account #CH 15401 00001, Allowance for Doubtful Accounts.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

The Hamilton Steelers Soccer Club used the facilities at Brian Timmis Stadium for practises and professional soccer games for the years 1990, 1991 & 1992. While a payment was received by the City in 1990, the Club failed to make payments for rental and stadium clean up charges for the years 1991 & 1992.

The matter of the outstanding arrears and proposed payment arrangements was referred by staff to the Parks and Recreation Committee. A resolution was approved by City Council on April 28, 1992 which provided among other things that the City accept a revised payment arrangement from the Club for the rental arrears, an immediate payment of the stadium clean up charges and an irrevocable letter of credit to cover the balance of the arrears outstanding.

On May 4, 1992 the Treasury Department wrote the Club requesting the documentation outlined in the Council resolution. At approximately the same time the Club announced that it was ceasing operation for the 1992 season. The account was subsequently forwarded to the Law Department for further action since the Club did not respond to these proposed payment arrangements.

The avenues available for the collection of this account are limited since this debt was incurred by a corporate entity whose only asset was the defunct soccer team. The Law Department has recommended against expending funds pursuing a judgement against the corporate identity since it appears that any judgement would be uncollectible due to the insolvent nature of the corporation. Accordingly, I am recommending that the account be written off and charged to account #CH 15401 0001, Allowance for Doubtful Accounts.

It should be noted that the matter of collection of accounts from tenants of major park facilities and concession areas was addressed in detail at that time and recommendations by staff for administrative improvements in this area were adopted by City Council on June 30, 1992.

TWD

c.c. P. Noé Johnson, City Solicitor, Law Department

10. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Bell Canada Pay Phones - Revenue Agreement (INF 94-132)

RECOMMENDATION:

a) That the Mayor and City Clerk be authorized to enter into an Agreement with Bell Canada regarding the location of payphones on City property, and within City buildings, and the revenues to be received by the Corporation.

b) That the agreement be for a five year term.

c) That the agreement be in a form satisfactory to the City of Hamilton Solicitor.

d) That the Director of Information Systems be responsible for administration of the Agreement with Bell Canada, and be authorized to approve the addition, or removal, of payphones locations in the schedule to the Agreement as requested by the City Department(s) responsible for the respective City property or building.

J. G. Hindson, P.Eng.

FINANCIAL IMPLICATIONS:

Revenues are projected to increase by $2,600 per year from $3,300 to $5,900.

BACKGROUND:

The City of Hamilton executed a previous agreement with Bell Canada in 1968, regarding the sharing of revenue received from pay phones located on City Property and within City buildings. With the advent of credit calling, calling cards, and third-party billings, revenues from pay phones have increased and Bell has received approval of revised tariffs from the CRTC (Canadian Radio Television and Telecommunications Commission).

The former 1968 agreement is no longer appropriate for the changes in technology that have occurred. Although the City is being compensated for non-cash revenues based on the latest CRTC approved rating structure, the old agreement excludes additional compensation that is now available to the City.

The new agreement will provide an additional 4% compensation on Bell's revenues if executed for a five year term; to a maximum of 7% to 11% of pay phone revenues depending on the total revenue from each phone location.

There are 47 pay phones located on City streets and within City buildings (see attached). Based on averaging revenue paid to the City over 15 month period to May, 1994, the current and future projected revenue is:

Annually	
Current Agreement	$3,300
New Agreement	$5,900
Net Increase in Revenue:	$2,600 (79%)

cc: P. Noé Johnson, City Solicitor
D. Vyce, Director, Property Department
E.M. Gill, Senior Director, Roads Department
P. Noé Johnson, Interim Director, Culture & Recreation Department

ATTACHMENT

PAYPHONE LOCATIONS

Tele No.	Site	Address
523-7001	Pier 4 Park	Guise West
523-9198	Farmer's Market	55 York Boulevard
523-9252	Farmer's Market	55 York Boulevard
523-9329	York Boulevard Parkade	19 Vine
527-9800	McNab Street Bus Platform	McNab/Main
527-9376	Chedoke Golf Course clubhouse	Aberdeen Ave/Studholme
527-9388	Wellington Park	359 King St.E. @ Wellington
527-9389	Dalewood Recreation Centre	1150 Main Street West
527-9442	Eastwood Arena	111 Burlington St. E.
527-9518	McNab Street Bus Platform	McNab/Main
527-9530	City Hall	71 Main Street West,(F2)
527-9581	City Hall	71 Main St. W.,(Frt. Lobby)
527-9667	Chedoke Golf Course clubhouse	Aberdeen Ave/Studholme
527-9707	Dundurn Castle parking lot	646 York Boulevard
527-9755	City Hall	71 Main Street West, F2
527-9860	City Hall	71 Main St. W., Frt. Lobby
527-9881	Central Memorial Recreation Centre	93 West Avenue South
527-9957	Ryerson Recreation Centre	251 Duke Street
548-0756	Sir Winston Churchill Recreation Centre	1715 Main St. E.
549-0053	Ivor Wynne Stadium	75 Balsam
549-0074	Ivor Wynne Stadium	75 Balsam
549-0762	King's Forest Golf Course clubhouse	Cochrane & Greenhill
549-0798	Gage Park	245 Gage Avenue South
549-0799	Parkdale Arena	1770 Main St. E.
549-0829	King's Forest Golf Course clubhouse	Cochrane & Greenhill
549-0832	Scott Park Arena	876 Cannon Street E.
549-0844	Ivor Wynne Stadium	75 Balsam
549-0889	Rosedale Arena	100 Greenhill Avenue
549-0899	Ivor Wynne Stadium	75 Balsam
549-0941	Brian Timmis Stadium	69 Balsam
572-9802	Farmer's Market	55 York Boulevard
572-9803	Farmer's Market	55 York Boulevard
572-9898	Coronation Arena	81 Macklin Avenue
573-8998	Sir Wilfrid Laurier Recreation Centre	60 Albright Avenue

Attachment (continued)

PAYPHONE LOCATIONS

Tele No.	Site	Address
574-6090	Sackville Hill Seniors' Recreation Centre	780 Upper Wentworth
574-7217	Sackville Hill Seniors' Recreation Centre	780 Upper Wentworth
574-9502	Sir Allan MacNab Recreation Centre	145 Magnolia Avenue
574-9530	Inch Park Arena	400 Queensdale Avenue E.
574-9558	B.A. Court Operations Centre	308 Rymal Road East
574-9709	Westmount Recreation Centre	39 Montcalm Drive
574-9719	Mountain Arena	25 Hester Street
574-9756	Hill Park Recreation Centre	465 East 16th Street
574-9924	Lawfield Arena	150 Folkstone Avenue
574-9998	Mountain Skating Centre	25 Hester Street
575-1912	Huntington Park Recreation Centre	87 Brentwood Avenue
577-9615	Gore Park	King/John Streets
577-9616	Gore Park	King/John Streets
577-9618	Gore Park	King/John Streets
577-9619	Gore Park	King/John Streets

(Revised as of Sept.14,1994.)

10.(b)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: Replacement of DEC/VAX File Server (INF 94-131)

RECOMMENDATION:

a) That the replacement DEC File Server be acquired from Strategic Concepts and GE Hamilton (joint bid) of Mississauga, Ontario (the lowest of 3 proposals), at $2,755 per month for 36 months commencing 1994 November 1 in accordance with their proposal dated 1994 September 1. Funding to be provided from Account CH56605-26032 (Computer Equipment Rental).

b) That the Mayor and the City Clerk be authorized to execute a master lease agreement with GE Hamilton in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee).

c) That the Director of Information Systems be authorized to execute the lease schedule for the equipment as approved.

J. G. Hindson, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net financial impact is a **decrease** of $3,237 per month due to a reduction in hardware leasing and maintenance costs effective 1994 December 1.

BACKGROUND:

Requests for Proposals for a replacement DEC File Server were issued by the Manager of Purchasing in August with a closing date of 1994 September 1st. Three completed proposals

from suppliers were subsequently received.

The Request for Proposals was initiated as the result of an identified serious capacity deficiency with the current file server. The existing file server will be severed from its current lease schedule by executing the lease termination option eight months before the lease expires. However, one objective of the replacement plan is to have a decrease in current operating costs by taking advantage of reduced equipment costs and standard three year warranties.

The leasing proposals were evaluated on the basis of the lowest monthly operating cost. A requirement of the proposals was that any lease include a provision that the lessee could return the equipment at the end of the lease, continue to lease at a reduced rate, or acquire the equipment at Fair Market Value. This provides for maximum flexibility to the Corporation.

On the basis of the summary of the proposal results (as indicated in Table A below), it is recommended that the leasing services for the replacement file server be acquired based on the lowest cost proposal.

The net effect of the replacement will be a net **decrease** of $3,237 per month effective 1994 December 1.

Table A

Request for Proposals for the acquisition of a replacement DEC File Server as issued by the Manager of Purchasing 1994 August

Summary of Proposals Received [1]

Replacement for DEC/VAX File Server	**Cost/month**
Strategic Concepts/GE Hamilton, Mississauga	$ 2,755 <----RECOMMENDED
Scott Capital Group, Mississauga	$ 2,908
MicroAge, Hamilton, Ontario	$ 2,990 [1]

[1] Bid invalid (unsigned)

URBAN/MUNICIPAL
CA4 ON HBL AOS
C51F31
1994

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL
1994
GOVERNMENT DOCUMENTS

Thursday, 1994 October 6th
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder
Susan K. Reeder
Secretary

AGENDA

1. CONSENT AGENDA

2. INFORMATION SYSTEMS OPERATIONAL REVIEW STEERING COMMITTEE

   Appointment of Consultant to perform the Operational Review of the Information Systems Department

3. TREASURER

   Increased Capital Financing for the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit

4. DIRECTOR OF PROPERTY

   (a) Establishment of Parking Authority Lot at 290-296 Victoria Avenue North

   (b) City purchase from the Region - Lots 8, 9, 10, 11, Plan 62M-658 - Dartnall Road, Hamilton

5. COMMISSIONER OF HUMAN RESOURCES

   Reclassifications - Building Department

6. PRIVATE AND CONFIDENTIAL AGENDA

7. OTHER BUSINESS

8. ADJOURNMENT

FINANCE AND ADMINISTRATION COMMITTEE
THURSDAY, 1994 OCTOBER 6TH
CONSENT AGENDA

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held Thursday, 1994 September 22nd.

B. ACTING DIRECTOR OF PUBLIC WORKS

(i) Purchase of one (1) 54,000 lb. GVW Chassis with Two-way Sander Body and Underslung Reversible Plow, Fleet Services

(ii) Purchase of one (1) Integral 2 WD Backhoe Loader, Fleet Services

C. CITY CLERK

(i) Display of New Hamilton Court House Model

(ii) Display of Fountain Foundation

(iii) Use of Forecourt - Hamilton Aids Network

(iv) Hamilton & District Council of Women Display

D. TREASURER

(i) Funding - City's Share of "Bar-Brock Estates - Phase 3"

(ii) Funding - Additional Financing required for a Local Improvement Project - Brock Street

E. DIRECTOR OF PROPERTY

Boiler Replacement, Westmount/Mountain Arena (Processed by the Emergency Procedures)

F. COMMISSIONER OF HUMAN RESOURCES

Appointments to and terminations from permanent positions with the Corporation of the City of Hamilton

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE
Information Items

Thursday, 1994 September 22
9:30 o'clock a.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

There were present:
Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman D. Drury
Alderman G. Copps
Alderman T. Anderson
Alderman V. Agro
Alderman D. Agostino
Alderman T. Cooke

Also present:
Alderman W. McCulloch
Alderman M. Kiss
Alderman H. Merling
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Lampman, Building Department
D. Vyce, Director of Property
J. Schatz, City Clerk
J. Hindson, Director of Information Systems
P. Barkwell, Law Department
R. Salayko, Public Works Department
C. Firth-Eagland, Acting Director of Public Works
C. Kerr, Treasury Department
H. Milsome, Public Works Department
G. Baker, Chief, Hamilton Fire Department
J. Johnston, Commissioner of Human Resources
D. Powers, Law Department
M. Main, Director of Traffic
D. King, Treasury Department
T. Redmond, Building Department
Susan K. Reeder, Secretary

ADDED - ALDERMAN W. McCULLOCH, VE DAY COMMITTEE APPOINTMENTS

Alderman McCulloch spoke to the Committee with respect to the VE Day Celebrations Committee recently established and approved by City Council at its meeting held Tuesday, 1994 July 26.

In this regard, Alderman McCulloch presented the Committee with the composition of the Committee to date and the Committee approved the following recommendation which was forwarded to City Council:

> For the information of the members of City Council, the Finance and Administration Committee have appointed the following members to serve on the VE Day Celebrations Committee:
>
> | | |
> |---|---|
> | Chairman | Colonel John A. Williamson |
> | Vice-Chairman | Group Captain Murray G. Marshall |
> | Mayor | Robert M. Morrow |
> | Alderman | William M. McCulloch |
> | United Council of Veterans | Jack McFarland, President |

Royal Canadian Legion	Roy G. Graves, Zone Commander
Hamilton Veterans Committee	Michael J. Roach, Chairman
Canada Remembers Project	Fern Viola, Co-Ordinator
Members	Colonel James C. Forsyth
	Colonel George T. Frid
	Commander A. J. Rick Woodrow
	Major Eileen Butson
	Flying Officer Brian W. Morison

DELEGATION

A. **MRS. MARY SINCLAIR - CLAIM FOR DAMAGES**

Mrs. Mary Sinclair appeared before the Committee respecting her claims to the City for damage caused to her motorized wheelchair on two occasions where flat tires resulted from her running over glass on the sidewalk.

As this matter is a claim, the Committee agreed to move In Camera to discuss this matter.

The Committee then moved back into Regular Session and approved the following:

(a) That the City pay to Mrs. Mary Sinclair the sum of $147.50 in full and final satisfaction of her claims for damages arising out of incidents which occurred on 1993 June 29 and 1994 June 24; and,

(b) That Mrs. Mary Sinclair be required to sign a Full and Final Release in a form satisfactory to the City Solicitor.

B. **LORNE HUBBER, VICE-PRESIDENT, LANCASTER SHEET METAL LIMITED - HOLDBACK - CITY OF HAMILTON DATA CENTRE PROJECT**

Mr. Lorne Hubber of Lancaster Sheet Metal spoke to the Committee with respect to his request that his holdback funds be returned.

The Committee was advised that a Private and Confidential report from the Director of Property on this matter is contained in its Private and Confidential agenda.

The Committee agreed to take Mr. Hubber's presentation under advisement and discuss this matter during the In Camera agenda discussion.

C. **HAMILTON STATUS OF WOMEN SUB-COMMITTEE - ESTABLISHMENT OF A SAFE CITY COMMITTEE**

Ms. Agnes Sampson, Chairperson, Evelyn Myrie and Joan MacDonald, members of the Hamilton Status of Women Sub-Committee along with a number of other members of the Sub-Committee were in attendance to speak to the Committee with respect to their request for a Safe City Committee.

In this regard, the Committee was in receipt of a recommendation from the Secretary of the Hamilton Status of Women Sub-Committee dated 1994 September 14 recommending the establishment of a Safe City Committee.

Considerable discussion ensued on this matter with the Chief Administrative Officer speaking to the Committee on this request as well as questions being asked of the Sub-Committee members on this matter.

Concerns were expressed at a possible overlap which could occur between the Safe City Committee, the Safety Council and the Pedestrian Safety Committee. In this regard it was agreed that the Terms of Reference could contain an indication that part of the mandate of the Safe City Committee would be that it continue ongoing discussion with other similar safety councils to ensure that overlapping does not occur in planned activities of each group.

With respect to the reporting relationship, it was agreed that this Committee would be a Sub-Committee of the Finance and Administration Committee.

It was also agreed that the Sub-Section (b) of the Proposed Mandate be clarified to read "to identify and monitor safety issues affecting the community" rather that specifying "home, school, workplace and . . ."

Following discussion the Committee then approved the establishment of a Safe City Sub-Committee and reported the following to City Council:

> For the information of the members of City Council, the Finance and Administration Committee has approved that a Safe City Sub-Committee be established, effective 1995 February 1st to coincide with all other City Committees, in accordance with the Terms of Reference attached hereto and marked as Appendix "A".

1. **CONSENT AGENDA**

(A) **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

The Committee was in receipt of the minutes of its meeting held Thursday, 1994 August 25. Mayor Morrow noted that he should be referenced as being on vacation rather than City Business. The Committee then approved the minutes as amended.

(B) **CHIEF ADMINISTRATIVE OFFICER AND EXECUTIVE ASSISTANT TO THE MAYOR - McMASTER UNIVERSITY - MEMORIAL ROSE GARDEN**

The Committee was in receipt of a joint report from the C.A.O. and the Executive Assistant to the Mayor dated 1994 September 12 respecting the above-noted matter. The Committee approved the following:

(a) That approval be given for the actions taken in authorizing the involvement of the Corporation of the City of Hamilton in contributing to the development of the Nina de Villiers Garden at McMaster University in the form of funding for the purchase and installation of two steel structures to support climbing rose bushes together with the plant material at a total upset cost of $1,200, applicable taxes included; and,

(b) That the purchase and installation of this work, being undertaken by McMaster University, be funded through the unclassified account centre number - CH 24201.

(C) **CITY CLERK**

i. **Use of City Hall Facilities - Head-of-the Lake Historical Society - Book Launch**

The Committee was in receipt of a report from the City Clerk dated 1994 September 12 respecting the above-noted matter and approved the following:

(a) That approval be given to the request of The Head-of-the-Lake Historical Society to use the Council Chamber and second floor foyer on Friday, 1994 October 14 from 7:00 p.m. - 9:30 p.m. for a book launch and reception; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

ii. **Use of Council Chambers - Hamilton Association of Muslims, Christians and Jews**

The Chairperson indicated that this recommendation is being withdrawn since the organization is changing the date and will come back at a later time for approval.

iii. **Use of Council Chambers - 125th Anniversary Celebration of Mahatma Gandhi**

The Committee was in receipt of a report from the City Clerk dated 1994 September 12 respecting the above-noted matter.

Alderman Copps indicated that Sub-Section (b) of the recommendation which provides for the City Clerk to approve of a future similar event should be deleted since this event is specific to a 125th Anniversary Celebration, which would not occur again.

Accordingly the Committee approved the following amended recommendation:

That approval be given to the request of McMaster University and the India-Canada Society to use the City Hall Council Chamber and second floor foyer areas on Sunday, 1994 October 2 from 10:00 a.m. - 1:00 p.m. for a celebration ceremony to mark the 125th Anniversary of Mahatma Gandhi.

(D) **TREASURER**

i. **Funding - Additional Financing Required for Local Improvement Closed in 1992**

The Committee was in receipt of a report from the Treasurer dated 1994 September 15 respecting the above-noted matter and approved the following:

That as referred to in Section 52 of Twelfth Report for 1994 of the Transport and Environment Committee, the net additional financing required in the amount of $1,996.39 for six projects whose costs exceeded approved estimates due to retaining wall construction not originally anticipated in the engineer's estimates, be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

ii. **Funding - Additional Financing for a Concrete Curb - Upper Kenilworth**

The Committee was in receipt of a report from the Treasurer dated 1994 September 15 respecting the above-noted matter and approved the following:

That as referred to in Section 51 of the Twelfth Report for 1994 of the Transport and Environment Committee, the additional financing required in the amount of $10,000. for the construction of an independent curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road East, be allocated out of the 1992 City's share of Local Improvements and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

iii. **Tax Applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45 Statutes of Ontario, 1990**

The Committee was in receipt of a report from the Treasurer dated 1994 September 13 respecting the above-noted matter and approved the following:

That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45, Statutes of Ontario, 1990 in the amount of $131,748.89 be approved and charged to CH53307-24104 Tax Remissions.

(E) **DIRECTOR OF PROPERTY - CLOSURE OF PROPERTY DEPARTMENT CAPITAL PROJECTS**

The Committee was in receipt of a report from the Director of Property dated 1994 September 15 respecting the above-noted matter and approved the following:

That the City Treasurer be directed to close the following Capital Project account with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended To Date	Balance Available	Source(s) of Financing
a) 318851001	C.U.P. Replacement /Overhaul Equipment	$410,000.	$409,873.	$127.	Capital Levy RCP
b) 328541101	City Hall - Accommodation Requirements	$88,000.	$87,997.	$3.	RCP
TOTAL				$130.	

F. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - INFORMATION ITEMS**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1994 September 19 respecting the above-noted matter. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Publication - FCM - July-August FORUM

(b) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 July 31 - report dated 1994 August 22nd.

(c) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1994 July 31 - report dated 1994 August 22nd.

(d) Minutes - Keep Hamilton Clean Committee - meeting held 1994 June 1

(e) Minutes - Hamilton Status of Women Sub-Committee - meeting held 1994 August 8th.

(f) Information Report - Treasurer - Status of Hosting, Receptions and related accounts as at 1994 August 31 - dated 1994 September 8

(g) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 August 31 - dated 1994 September 8

(h) Correspondence - Coalition for Gun Control - Municipal Positions on Gun Control -letter dated 1994 August 16th

(i) Information Report - Director of Information Systems - 1994 Information Systems Customer Survey Results - report dated 1994 September 15th

2. **MAYOR ROBERT M. MORROW - INTERNATIONAL SYMPOSIUM ON HEALTH MANAGEMENT CONFERENCE**

The Committee was in receipt of a report from the Mayor dated 1994 September 12 respecting the above-noted matter. The Committee approved the following:

(a) That the City of Hamilton co-sponsor a luncheon for the International Symposium on Health Management Conference scheduled to take place at the Hamilton Convention Centre from November 12th to the 15th, 1994 in the amount of $5,000.; and,

(b) That this amount be charged to the Special Civic Receptions and Delegation Hosting Account No. CH55314-84010.

3. **HAMILTON STATUS OF WOMEN SUB-COMMITTEE - APPOINTMENT OF MEMBERS TO THE HAMILTON STATUS OF WOMEN SUB-COMMITTEE**

The Committee was in receipt of a recommendation from the Secretary of the Hamilton Status of Women Sub-Committee dated 1994 September 14 requesting that appropriate action be taken to fill two citizen vacancies. The Chairperson advised the Committee that this recommendation should be amended to reflect the filling of one citizen member vacancy.

Some discussion ensued and the Committee agreed to receive and take no action with respect to this request.

4. **INFORMATION SYSTEMS OPERATIONAL REVIEW STEERING COMMITTEE - APPOINTMENT OF CONSULTANT TO PREFORM THE OPERATIONAL REVIEW OF THE INFORMATION SYSTEMS DEPARTMENT**

The Chairperson advised that this matter is being withdrawn from the agenda as the report is not ready to be presented.

5. **CHIEF ADMINISTRATIVE OFFICER**

(a) **Consultant - User Fee Study**

The Committee was in receipt of an information report from the Chief Administrative Officer dated 1994 September 14 along with a copy of the information report presented by the C.A.O. to the Finance and Administration Committee dated 1994 August 30 and the original recommendation to appoint a consultant dated 1994 August 19.

With respect to this recommendation some discussion ensued and the Treasurer advised that the dates contained in the original report should be amended to reflect a start date of October 3 with a completion date for January 26.

The Committee then approved the following:

(a) That David M. Griffith & Associates be awarded the contract for the development of a User Fee Study to commence on 1994 October 3rd, and to be completed by 1995 January 26th, based on a proposal submitted by them, at a firm quotation in the total amount of $69,550.; and,

(b) That the amount be financed from account CH55406-24101 Fees-Consultants, as provided for in the 1994 Current Budget.

Note: Alderman Agro opposed.

At this point Alderman Ross had a commitment to attend and Alderman Charters, Vice-Chair assumed the Chair as Acting Chairperson.

(b) **Financing of the Hanging Flower Baskets - Westdale Village BIA in 1994**

The Committee was in receipt of a recommendation from the Chief Administrative Officer dated 1994 August 22 which had been tabled from the 1994 August 25 meeting. The Committee was also in receipt of correspondence from the Chairman of the Westdale B.I.A. which Alderman Kiss had received and requested be distributed to members of the Committee. Mr. Upsdell's letter as Chairman of the Westdale Village B.I.A. expressed their wishes with respect to watering costs for flower baskets in the Westdale Village B.I.A.

Following a considerable amount of discussion on this matter the Committee agreed to receive and take no action on this matter.

RECORDED VOTE:

YEAS: Anderson, Drury, Charters, Copps

NAYS: Mayor, Agro

(c) **Verbal Update - Single Tier - City Treasury and Regional Finance**

With respect to the City Council recommendation approved at its meeting on Tuesday, 1994 July 26 requiring that a report back to the Finance and Administration Committee by 1994 September 30 be provided on the proposed amalgamation of the City Treasury and Regional Finance Departments, the Chief Administrative Officer addressed the Committee.

The C.A.O. reported that a recommendation on this matter is prepared but is in the stages of being refined. In this regard he indicated that the proposed recommendation will be for a similar structure as the present Planning Department is and that the amalgamation of the City Treasury and Regional Finance Departments will reduce staff numbers.

The C.A.O. indicated that he anticipates having this report to the Finance and Administration Committee at its meeting to be held 1994 October 17.

The Committee then agreed to receive the verbal report of the C.A.O. with respect to the Single Tier - City Treasury and Regional Finance Departments.

(d) **Use of Council Approved Funds for Continuous Improvement and Other Initiatives as well as Restructuring**

The Committee was in receipt of a report from the C.A.O. dated 1994 September 15 respecting the above-noted matter.

Following discussion on this and comments by the Director of Traffic and the Chief Administrative Officer the Committee approved the following:

(a) That approval be given to broadening the scope of the use of the funds allocated for consulting assistance in Restructuring, to allow Team Building and Continuous Improvement initiatives to be funded for various Departments; and,

(b) That $18,000. be provided to the Traffic Department for a Team Building initiative in the Parking Control Section to hire Ernst and Young as facilitators.

Note: Alderman Copps opposed.

6. **BUILDING COMMISSIONER, CITY SOLICITOR AND FIRE CHIEF - SPRINKLERING OF EXISTING BUILDINGS**

The Committee was in receipt of a joint report from the Building Commissioner, City Solicitor and Fire Chief dated 1994 September 14 respecting the above-noted matter.

The Committee expressed its appreciation to staff for this good work and the Fire Chief commended the Building Department for its work in this matter.

The Committee then approved the following:

That the Mayor be authorized and directed to send a letter to the Premier of Ontario requesting that the Ontario Government make the necessary amendments to the Ontario Building Code, The Ontario Fire Code, and the Hotel Fire Safety Act to require all hotels three storeys or higher in height to be sprinklered.

7. **BUILDING COMMISSIONER - DEVELOPMENT CHARGES BY-LAW 90-974**

The Committee was in receipt of a report from the Chairman of the Review of the Development Charges Staff Sub-Committee dated 1994 September 14 respecting the above-noted matter.

The Committee approved the following:

(a) That the staff committee represented by the Treasury, Planning, Culture and Recreation, Public Works, Fire, Traffic, and Building Departments and the Hamilton Public Library and chaired by the Building Commissioner be directed to:

(i) Act as the co-ordinating committee responsible for developing a new development charges by-law; and,

(ii) Commence a new development charges study; and,

(iii) Develop a proposal call for a consultant to assist in the review based on experience and fees; and,

(iv) Conduct a review of the development charges policies; and

(b) That in accordance with the Development Charges Act, a public meeting of City Council through the Finance and Administration Committee be held to advise the public of the City's intent to review development charges policies and with the view to enact a development charges by-law; and,

(c) That the Law Department be added to the staff committee.

8. **CITY CLERK**

(a) **Roomers and Boarders Task Force Report**

The Committee was in receipt of a report from the City Clerk dated 1994 September 16 respecting the above-noted matter.

Alderman Agostino questioned some aspects of the report with respect to increasing fees to cover administrative costs and the City Clerk responded in this regard.

The City Clerk outlined some of the aspects contained within the report.

The Committee then approved the following:

(a) That Licence By-law 93-069 be amended:

(i) To eliminate any duplication of regulations contained in by-laws of the Building, Fire and Health Departments; and,

(ii) To provide for a requirement that each tenant in a lodging house have a lockable personal mailbox; and,

(iii) To require the licence holder to post and keep posted a list of emergency telephone numbers for Fire, Health and Building Departments; and,

(iv) To remove all reference to sex and age in accordance with Human Rights Legislation; and,

(v) To require the owners or operators of a lodging house to obtain a Certificate of Compliance pursuant to the Property Standards By-law 74-74, from the Building Department for each lodging house, commencing in 1995, upon first renewal of those with an existing licence, when a new licence is issued, when a licence is transferred (provided the Certificate of Compliance on the premises is 3 years old) and every third anniversary thereafter; and,

(b) That the amending By-law, submitted herein for approval as Bill D-27, giving effect to the above noted recommendations be enacted with an effective date of 1995 January 1; and,

(c) That the Planning and Development Committee be requested to direct the Planning and Development Department to review the definition of a lodging house and associated definitions in Zoning By-law 6593 in light of the recommendations of the Roomers and Boarders Task Force; and,

(d) That the City Clerk be authorized and directed to co-ordinate Training Sessions for lodging house owners and staff prior to the issuance of the licence renewal. Follow-up Training Sessions are to be conducted once yearly for owners and staff of new lodging houses.

(b) **Extension of Terms of Office for Citizens Appointed to City Committees, Local Boards and Commissions**

The Committee was in receipt of a report from the City Clerk dated 1994 September 16 respecting the above-noted matter. The Committee approved the following:

That the terms of office for the existing citizen members of the various City Committees, Local Boards and Commissions expiring at the end of 1994, be extended until 1995 February 1 or until their successors are appointed, to allow the Committees, Local Boards and Commissions to function until such time as the newly elected Council has had an opportunity to undertake the necessary actions to fill these vacancies.

9. **TREASURER**

(a) **Interim Financing Grey Cup Festival 1996**

The Committee agreed to table this report.

(b) **Post Audit Letter Recommendations and Comments Concerning Accounting Systems, Procedures and Controls for 1993**

The Committee was in receipt of a report from the Treasurer dated 1994 September 15 respecting the above-noted matter.

The Committee approved the following:

> That the 1993 management post audit letter containing recommendations and comments affecting the City's accounting systems, procedures and controls and subsequent management action, be accepted. Copies of this letter were distributed to all members of City Council, and are available from the Secretary upon request.

(c) **Information Report - Outstanding Assessment appeals settled in 1994**

The Committee was in receipt of an information report from the Treasurer dated 1994 September 15 respecting the above-noted matter and agreed to receive this document for information purposes.

(d) **Hamilton Steelers Soccer Club - Rental Arrears for the use of Brian Timmis Stadium**

The Committee was in receipt of a report from the Treasurer dated 1994 September 16 respecting the above-noted matter and approved the following:

> That outstanding rental arrears and stadium clean up charges due from the Hamilton Steelers Soccer Club for the use of Brian Timmis Stadium for the 1990 and 1991 season in the amount of $50,693.18 be written off and charged to Account No. CH15401-00001, Allowance for Doubtful Accounts.

10. **DIRECTOR OF INFORMATION SYSTEMS**

(a) **Bell Canada Pay Phones - Revenue Agreement**

The Committee was in receipt of a report from the Director of Information Systems dated 1994 September 15 respecting the above-noted matter.

The Committee approved the following:

(a) That the Mayor and City Clerk be authorized to enter into an Agreement with Bell Canada regarding the location of payphones on City property, and within City buildings, and the revenues to be received by the Corporation; and,

(b) That the agreement be for a five year term; and,

(c) That the agreement be in a form satisfactory to the City of Hamilton Solicitor; and,

(d) That the Director of Information Systems be responsible for administration of the Agreement with Bell Canada, and be authorized to approve the addition, or removal, of payphones locations in the schedule to the Agreement as requested by the City Department(s) responsible for the respective City property or building.

As a result of this discussion Alderman Copps indicated that the pay telephones presently installed by Bell Canada are too high for use by disabled persons in wheelchairs. In this regard the Committee agreed that the C.A.O. and the Director of Information Systems should speak to Bell Canada respecting this concern and report back to the Committee.

(b) **Replacement of DEC/VAX File Server**

The Committee was in receipt of a report from the Director of Information Systems dated 1994 September 15 respecting the above-noted matter and approved the following:

(a) That the replacement DEC File Server be acquired from Strategic Concepts and GE Hamilton (joint bid) of Mississauga, Ontario (the lowest of 3 proposals), at $2,755 per month for 36 months commencing 1994 November 1 in accordance with their proposal dated 1994 September 1. Funding to be provided from Account CH56605-26032 (Computer Equipment Rental); and,

(b) That the Mayor and the City Clerk be authorized to execute a master lease agreement with GE Hamilton in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee); and,

(c) That the Director of Information Systems be authorized to execute the lease schedule for the equipment as approved.

11. **IN CAMERA AGENDA**

The Committee moved In Camera to discuss its Private and Confidential Agenda.

The Committee then moved back into Regular Session and approved the following:

AA. **CITY SOLICITOR AND ACTING DIRECTOR OF PUBLIC WORKS**

City of Hamilton -ats- Sigismondi; Ontario Court (General Division) Action #3610/93

(a) That the City resolve Ontario Court (General Division) Action No. 3610/93 by the payment to the Plaintiff, Antonella Sigismondi, of the sum of $3,500 inclusive of all claims for damages including costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 3610/92 be dismissed without costs.

BB. **CITY SOLICITOR - CLAIM ADJUSTING SERVICES**

(a) That the City terminate the retainer of Underwriters Adjustment Bureau Ltd. as Claims Adjusters for the City's liability and property damage claims; and,

(b) That the City Solicitor be directed to send the appropriate notice of termination to Underwriters Adjustment Bureau Ltd. advising them that their retainer by the City is terminated effective immediately; and,

(c) That the City Solicitor and the Acting Director of Public Works be authorized to enter into negotiations with Crawford and Company Adjusters Limited, the second lowest bidder on the original Request for Proposals, with a view to establishing a new retainer for Claims Adjusting services.

DD. **TREASURER - EXTENSION AGREEMENT**

(a) That the City enter into an Extension Agreement, in a form satisfactory to the City Solicitor and to the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with MNC Lifecare Group Inc., owner of 39 Mary Street, to extend the time open for payment of realty tax arrears on the property, from 1994 September 28 to 1995 December 31, subject to the payment terms set out below; and,

(b) That the following extensions to the realty tax payment dates and amounts be approved:

(i) the Cancellation Price in respect of the land may be paid on or before 1994 December 31; and,

(ii) in the alternative, the time within which the Cancellation Price may be paid, is hereby further extended as follows and the following payments of the Cancellation Price are hereby permitted:

One twelfth of the Cancellation Price as of 1994 December 31, together with a one twelfth portion of 1995 real property taxes (as estimated by the City) shall be paid on the first day of each and every month during 1995 commencing 1995 January 1, and continuing through to 1995 November 1, in equal monthly payments, save and except for the 1995 December 1 payment which shall be an amount sufficient to pay the balance of the said Cancellation Price together with the balance, if any, of 1995 real property taxes due and payable up to 1995 December 31; and,

(c) That as a condition of this approval, the Owner covenants to the City to pay or cause to be paid on or before December 31, 1994, the following:

(i) all outstanding Business Taxes in respect of Business Tax Roll number 02-01535-0940-0020-941 owing to the City; and,

(ii) all outstanding Business Taxes in respect of Business Tax Roll number 01-01035-3120-0020-941 owing to the City.

12. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

Alderman D. Ross, Chairperson
Finance and Administration Committee

Alderman B. Charters, Acting Chairperson
and Vice-Chairperson
Finance and Administration Committee

Susan K. Reeder, Secretary

1994 September 22

/mjw

Appendix "A" as referred to in Section 3 of the FOURTEENTH Rep of the Finance and Administration Committee for 1994

HAMILTON SAFE CITY SUB-COMMITTEE

TERMS OF REFERENCE

1. Mandate

The mandate of the Safe City Sub-Committee is:

(a) to monitor the implementation of recommendations in The Women's Safety Audit Report of September 1992; and,

(b) to identify and monitor safety issues affecting the community; and,

(c) to develop new policies and programs relating to an ongoing municipal response to violence against all citizens; and,

(d) to consult with and provide information resources to community groups and agencies in their ongoing work to end violence against women; and,

(e) to liaise on an on-going basis with all other safety organizations in order to ensure that overlapping of activities does not occur.

2. Membership - Composition

The membership of the Safe City Sub-Committee will be composed of no less than 20 members, and no more than 25 members, consisting of agencies, groups or individuals from the diverse community; City Council; and, two members of the Hamilton Status of Women Sub-Committee.

The Safe City Sub-Committee has a goal of a minimum of a third of its members representing organizations that are by and for visible minority, Native, immigrant and refugee women. The Committee recognizes that this does not replace the need for ongoing consultation with groups not represented on the Safe City Sub-Committee.

3. Reporting Relationship

The Safe City Sub-Committee will be a Sub-Committee of the Finance and Administration Committee.

4. Membership - Selection

4.1 Members should be solicited through advertisements in the local newspapers.

4.2 In order to reduce any dominance in the Committee, the Hamilton Status of Women Sub-Committee must be an advisory body in the selection process.

4.3 Members should have fixed terms of office in accordance with any other similar Committee.

4.4 Vacancies: The Sub-Committee shall follow the usual procedures and process of any other Committee.

4.5 Relevant background materials on the Safe City Sub-Committee will be made available to all applicants of the Safe City Sub-Committee.

4.6 People applying for membership to the Safe City Sub-Committee should be willing to:

(a) demonstrate understanding of the Safe City Sub-Committee's mandate, and a commitment to the underlying principles of the Safe City Sub-Committee;

(b) work within a City Sub-Committee structure;

(c) contribute to the Safe City Sub-Committee.

5. Membership, Guidelines and Conduct

5.1 Members are asked to send regrets to the Administrator if unable to attend meetings.

5.2 Any member missing more than three (3) consecutive meetings is expected to contact the Administrator with a replacement from their organization. If they are unable to provide a replacement from their organization, another organization will be allowed the opportunity to take their place on the Safe City Sub-Committee.

5.3 A member's comment may not be offensive, or contain epithet, innuendo, or ridicule. The Chair or fellow members may interrupt such comments if they feel they are being individually or collectively insulted.

5.4 If a member, under 4.3, persists in hurtful behaviour, any member of the Committee can move to request resignation of the individual and replacement from their organization will be recognized to be an extraordinary measure, to be taken only under the most unusual circumstances.

6. Meetings

6.1 The Safe City Sub-Committee will meet monthly at City Hall.

6.2 The Chair may call special meetings to deal with urgent matters.

6.3 Quorum for meetings will be 1/3 of the total of the Sub-Committee membership. Members of the Safe City Sub-Committee may designate an alternate from their organization or office who has the voting right of the member, in the member's absence, at the meeting, and whose presence count towards a quorum.

7. Procedure for Minutes

7.1 Volunteer Secretary will take and process minutes of each meeting and be responsible to provide same to members one week prior to meeting.

7.2 The use of necessary city equipment to be provided by City Council.

8. Sub-Committees

8.1 Every Safe City Sub-Committee member is expected to sit on at least one Sub-Committee over one calendar year.

8.2 Each Sub-Committee will develop a set of goals and a timeline on individual issues.

8.3 Each Sub-Committee must, at its first meeting, select a Chair and a Notetaker. The Chair and Notetaker positions can be on a rotating basis.

B. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. C. Firth-Eagland
Acting Director of Public Works

SUBJECT: Purchase of One (1) 54,000 Lb. GVW Chassis with Two-Way Sander Body and Underslung Reversible Plow, Fleet Services

RECOMMENDATION:
That a purchase order be issued to Altruck Transportation, Hamilton, in the amount of $114,767.70, all applicable taxes included, for the purchase of One (1) 54,000 LB. GVW Chassis with Two-Way Sander Body and Underslung Reversible Plow for Fleet Services, being the lowest of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

C Firth-Eagland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the Fleet Services vehicle replacement programme 1994, as approved by City Council on November 30, 1993. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

Altruck Transportation, Hamilton	$114,767.70
Eastgate Ford, Hamilton	115,805.00

This tender was advertised and thirteen suppliers requested to bid. Eleven (11) did not respond.

This vehicle will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme.

DM

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

B. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. C. Firth-Eagland
Acting Director of Public Works

SUBJECT: Purchase of One (1) Integral 2 WD Backhoe Loader, Fleet Services

RECOMMENDATION:
That a purchase order be issued to Regional Ford, Puslinch, in the amount of $64,630., all applicable taxes included, for the purchase of One (1) Backhoe Loader for Fleet Services, being the lowest of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

C Firth-Eagland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the Fleet Services vehicle replacement programme 1994, as approved by City Council on November 30, 1993. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

Regional Ford, Puslinch	$64,630.00
A.H. VanCamp, Stoney Creek	75,216.90
Case Power, Grimsby	79,976.75

This tender was advertised and seven (7) suppliers requested to bid. Four (4) did not respond.

This vehicle will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme.

DM

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager - Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

CITY OF HAMILTON

- RECOMMENDATION -

C. (i)

DATE: 1994 September 26 SEP 27 1994

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Display of New Hamilton Court House Model**

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing the Project Development Branch of the Ontario Realty Corporation to use the second floor foyer (west end) from 1994 September 16 - 30 to display a model of the New Hamilton Court House.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Ontario Realty Corporation requested that the model of the New Hamilton Court House be displayed on the second floor at City Hall in order that community exposure could be obtained.

The target date for completion and occupancy of the New Hamilton Court House is October, 1996 and construction of the building is expected to create approximately 1,600 full-year jobs.

cc: Mayor's Office
Alderman W. McCulloch
Rob Swan, Manager, Property Maintenance Division
Information Desk
Betty Carter, City Clerk's Office

CITY OF HAMILTON

- RECOMMENDATION -

C. (ii)

DATE: 1994 September 26

SEP 27 1994

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Display by Fountain Foundation**

RECOMMENDATION:

That approval be given to the action taken by the City Clerk in authorizing the Fountain Foundation to use the second floor foyer (west end) from 1994 October 3 - 24 to display a model of the Gore Park Fountain and related information.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The display will consist of a model of the Gore Park Fountain in a display case and an expo-system of panels to display related information. The Public Awareness Committee of the Fountain Foundation will assemble and disassemble the display.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
Betty Carter, City Clerk's Office

C. (iii)

SEP 26 1994

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 21

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Use of Forecourt
Hamilton Aids Network

RECOMMENDATION:

a) That approval be given to the action taken by the City Clerk in authorizing the Hamilton Aids Network to use the forecourt on Friday, 1994 September 23, from 5:00 to 6:00 p.m. for a Rally to support drug funding for persons living with HIV and Aids.

b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Hamilton Aids Network, in conjunction with the Ontario Aids Network, are participating in a Province-wide Rally on Friday, 1994 September 23 to support drug funding for persons living with HIV and Aids.

Each area Aids Network will hold a rally, at approximately the same time, at municipalities throughout Ontario.

cc: Mayor's Office
Rob Swan - Mgr. Property & Maintenance Division
Information Desk
Betty Carter - City Clerk's Office

C. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Hamilton & District Council of Women Display

RECOMMENDATION:

a) That approval be given to the request of the Hamilton and District Council of Women to place a pictorial display in the second floor foyer at City Hall, for the week of 1994 October 17-21, during Womens' History Month.

b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

D. B. Hollowell for
D. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

As part of the Womens' History Month celebrations, the Hamilton and District Council of Women are requesting approval to place a pictorial display on the second floor, showing the past and present activities of the Council of Women.

cc: Mayor's Office
Rob Swan, Manager, Property & Maintenance Division
Information Desk
Betty Carter, City Clerk's Office

D. (i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: City's Share of "Bar-Brock Estates - Phase 3" - Financing

RECOMMENDATION:

That the City's share of "Bar-Brock Estates - Phase 3" Servicing, at a cost of $38,982.00, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed for all 1994 projects related to subdivision expenditures, including this recommendation, is $240,028.54. The 1994 Capital Budget includes a provision of $1,236,000 for the City's share of subdivision expenditures in 1994.

BACKGROUND:

The Transport and Environment Committee will be considering this report at their meeting of 1994, October 3. The details of the project cost is outlined in the letter of Mr. E.M. Gill, Senior Director, Roads Department, dated 1994, September 22.

The original recommendation, Section 61 of the Seventh Report of the Transport and Environmental Services Committee adopted by City Council June 30, 1992, included a NIL amount for the City's Share of Services, therefore no recommendation for financing was forwarded to the Finance and Administration Committee at that time.

CK:ck
Attach

c.c. E.M. Gill, Senior Director, Roads Department
K. Christenson, Secretary, Transport and Environment Committee
M. Watson, Real Estate Division, City Property Department

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 22
S702-44 P. Strong

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director

SUBJECT: **1994 Servicing Expenditures Related to Subdivisions (R-94-82)**

RECOMMENDATION:

a) That the portion of Section 61 of the Seventh Report of the Transport an Environmental Services Committee adopted by City Council June 30, 1992 which refers to the approval of engineering schedules for Bar-Brock Estates Phase 3, Hamilton, be deleted.

b i) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in;

" BAR-BROCK ESTATES - PHASE 3 ", Hamilton

(Revised Schedules "E" and "F")

City's Share $38,982.00 Subdivider's Share $257,882.85

ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Bar-Brock Estates - Phase 3", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.

iii) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.

iv) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

cont'd...

1994 Servicing Expenditures Related to Subdivisions (R-94-82)

cont'd...

c) That the City's share for the costs of services in "Bar-Brock Estates - Phase 3" ($38,982.00) be approved and the Finance and Administration Committee recommend the source of funding for this project.

E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

" BAR- BROCK ESTATES - PHASE 3 ", HAMILTON

The total estimated costs of the City's share of services to be approved at this time for this development is $38,982.00.

The City's share of costs ($38,982.00) is associated with the cost of construction of City services for Brenda Street which are recoverable in the future, when the adjacent lands develop.

The estimate for the cost sharing between the City and the owner is in accordance with current City policy. (see Schedule "A")

BACKGROUND:

"BAR-BROCK ESTATES - PHASE 3", Hamilton

At its meeting of April 19, 1988, Regional Council approved Item 3, of the Economic Development and Planning Department, 7-88 for the draft plan for Bar-Brock Estates, subject to certain conditions.

cont'd...

September 22, 1994

1994 Servicing Expenditures Related to Subdivisions (R-94-82)

cont'd...

The Schedules of works approved by City Council June 30, 1992 need to be revised at this time for the inclusion of City services to be installed along Brenda Avenue from Eleanor Avenue to Bolzano Drive, which, in turn, provide a second access for this development for traffic flow as well as a alternate feed for Hamilton Hydro along with other utilities.

The Owner of Bar-Brock Estates - Phase 3, Queendale Garden Homes Limited, will be executing a Subdivision Agreement, as a condition of draft plan approval with the City in the near future. The development of Bar-Brock - Phase 3 will result in the creation of 34 single family residential building lots. This development is located in the Eleanor Neighbourhood on east of Upper Sherman Avenue and north of Rymal Road East.

Note: The engineering schedules for the above-noted subdivision have been prepared by the Developer's Consulting Engineer and have been approved by the Commissioner of Transportation/Environmental Services.

ps

cc: A. C. Ross, City Treasury Department
cc: M. Watson, Real Estate Division, City Property Department
cc: Councillor D. Ross, Chairman, Fin.& Administration Committee
cc: S. Reeder, Secretary, Fin. & Adm. Com.

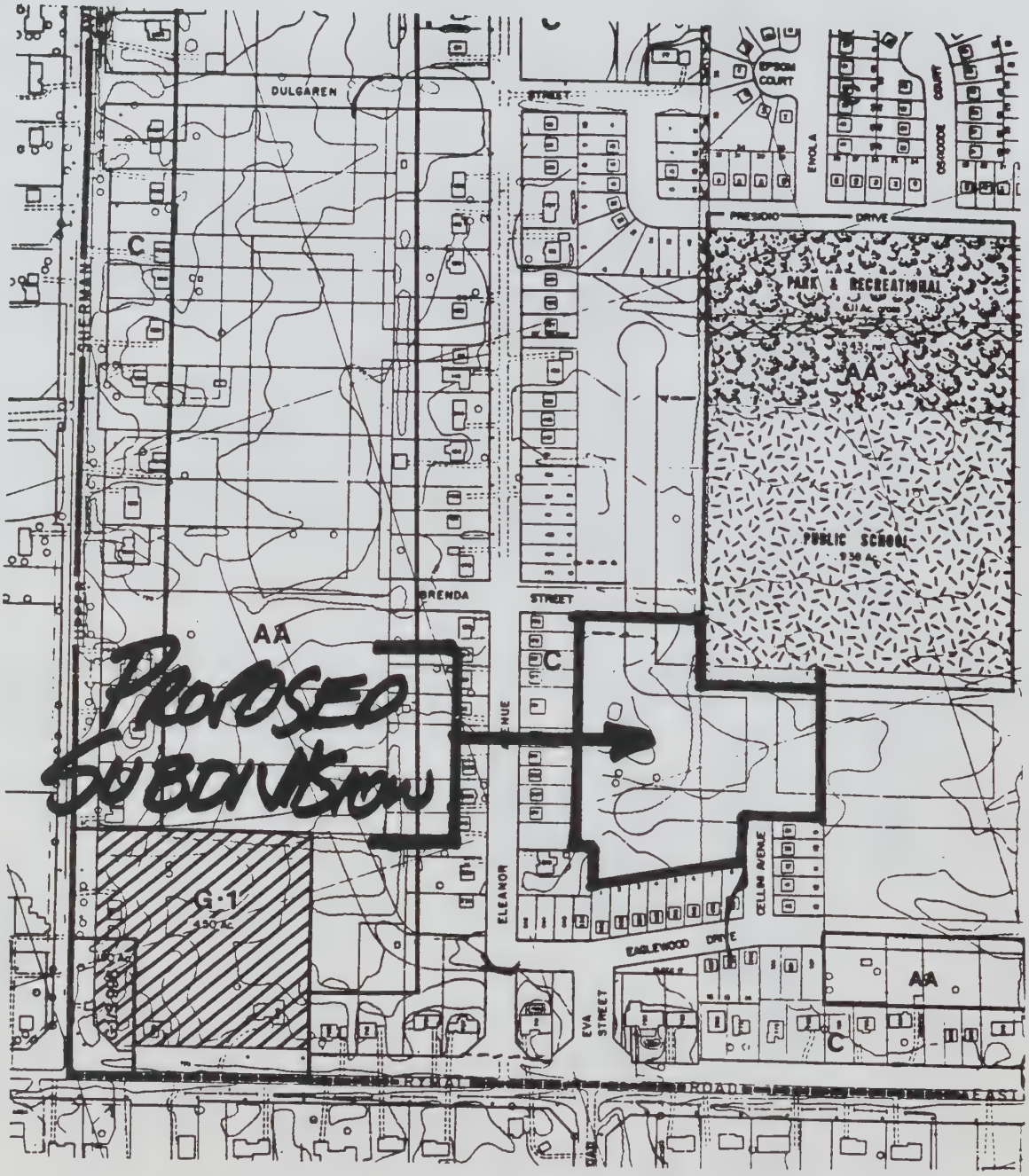
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1994 SUBDIVISION EXPENDITURE SUMMARY

Name of: – SUBDIVISION – DEVELOPER – CONSULTANT – SURVEYOR	# OF LOTS and LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	CITY'S SHARE OF EXPENDITURES: 0.3 METRE RESERVE COSTS	CITY'S SHARE OF EXPENDITURES: NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
-BAR-BROCK	34 LOTS	Council	Catch Basins &					
ESTATES PHASE 3	HAMILTON	88-03-29	Connections	$3,801.60	$0.00			
-QUEENDALE GARDEN		ITEM (16b)	Curbs & Sidewalks	$8,551.91	$0.00			
HOMES LIMITED		P+D Report	Finished Roads	$19,160.06	$0.00			
'-WILLIAM L. SEARS		6-88	Dead End Barricade	$0.00	$0.00			
-W. BRUCE CLARK			Street Lighting	$3,375.00	$0.00			
-FILE NO. S702-44			Seeding/Sodding	$4,093.43	$0.00			
PS			Sewers & Watermain	$0.00	$0.00	$38,982.00	$257,882.85	$296,864.85
TOTALS:				$38,982.00	$0.00	$38,982.00	$257,882.85	$296,864.85

SCHEDULE "A"

* OVERSIZING EXPENDITURES are Non-Recoverable
* 0.3 METRE RESERVE EXPENDITURES are Fully Recoverable



LOCATION PLAN

BAR-BROCK - ESTATES - PHASE 3, HAMILTON

D. (ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1994 October 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Additional Financing for a Local Improvement Project - Brock Street

RECOMMENDATION:

That the additional financing required in the amount of $8,600. for the City's share of the local improvement for the construction of a combined sidewalk and curb on the south side of Brock Street from John Street North to approximately 24 m east of Hughson Street North be financed from the 1994 Capital Levy Account Centre No. CH 22002.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1994 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of $630,000, with a net balance of $472,000 after Provincial Subsidy to be financed from the 1994 Capital Levy. Including this recommendation, the City's share of Local Improvements approved in 1994 totals $443,741.50 gross. Upon tendering for this project the lowest tender exceeded the approved amount by $8,600. There are sufficient funds within the 1994 provision of the Capital Levy to finance these additional costs.

BACKGROUND:

City Council at its meeting 1994 July 26 approved Item 5 of the 10th Report of the Transport and Environment Committee and accordingly Item 5 of the 12th Report of the Finance and Administration Committee which approved of the above noted Local Improvement construction. However, upon tendering by the Region, the lowest tender for this project exceeded the approved estimate by $8,600. The additional costs relate to the higher costs per square metre for the concrete sidewalk, restoration and sodding. The issue of additional financing is to be considered by the Transport and Environment Committee meeting 1994 October 3.

DKB/dkb

c.c. Kevin Christenson, Secretary, Transport & Environment Committee
D. Y. Onishi, Director, Design and Construction, Transportation & Environment
M. Mascarenhas, Municipal Non Profit Housing

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 28

REPORT TO: Mr. Kevin Christenson
Secretary, Transport and Environment Committee

FROM: Mr. C. Firth-Eagland
Acting Director of Public Works

SUBJECT: Additional Financing Required for a Local Improvement Project - Brock Street

RECOMMENDATION:

1. That the Finance and Administration Committee recommend the source of funding for the additional financing required in the amount of $8,600. for the City's Share of the local improvement for the construction of a combined sidewalk and curb on the south side of Brock Street from John Street North to approximately 24 m east of Hughson Street North; and,

2. That the Acting Director of Public Works be directed to amend the applicable By-law for this project.

C Firth-Eagland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendations.

BACKGROUND:

The construction of this local improvement was approved by City Council on 1994 July 26, in adopting Item 5 of the 10th Report of the Transport and Environment Committee and Item 5 of the 12th Report of the Finance and Administration Committee.

Tenders have been called by the Region and the low tender exceeds the estimate by $8,600. including engineering and overhead. The increase is attributable to higher costs per square metre for the concrete sidewalk, additional restoration costs and additional sodding.

RPM/jdh

c.c. A. Ross, City Treasurer, Attention M. B. Chandrashekar
c.c. S. Reeder, Secretary, Finance & Administration Committee
c.c. D. Y. Onishi, Director, Design and Construction
c.c. M. Mascarenhas, Municipal Non Profit Housing

E.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 19

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Boiler Replacement, Westmount/Mountain Arena

RECOMMENDATION:

A) That approval be given to issue a purchase order to Superior Boiler Works and Welding Ltd. in the amount of $128,854.75 for the replacement of the boilers at Westmount Recreation Centre and Mountain Arena. This being the lowest tender received, in accordance with specifications issued by the Purchasing Department.

B) That contracts be entered into satisfactory to the City Solicitor, and

C) That as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

94.09.20

94.09.20.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This project is to be financed through Capital Budget Funds account # CF 319441009-5010.

BACKGROUND:

Replacement of these boilers is necessary because they have surpassed their life expectancy.

cc: Patrice Noé Johnson, City Solicitor, Law Dept.
Allan Ross, City Treasure, Treasury Dept.
Robert Desnoyers, Asst. Manager, Bldg. Operations & Maint.

F.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-028-094)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations From Permanent positions with the Corporation to September 28, 1994 be approved.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Brimer	I	Events Electrical/ Electrical Technician (13)	Central Utilities Plant	New Position Council Approved June 28/94	$45,219.20	April 01/92
Ms. Donna Clague	I	Administrative Assistant III (P)	Building	Replacing Ms. P. Harper - retired, Nov. 30/93	$31,563.48 to $37,117.60	Aug. 08/94
Mr. Larry Crooker	I	Sanitation Worker (D15G)	Public Works	Replacing Mr. J. Weber - returned to former position, Aug. 15/94	$36,670.40	Aug. 31/94
Ms. Cathryn Edmonds	I	Collections Clerk (15)	Treasury	Additional Staff - approved by Council June 28, 1994	$33,644.52 to $38,230.92	Sept. 05/94
Mr. Robert Hayes	I	Senior Property Officer (24)	Real Estate	Replacing Ms. A. Cipriani - retired, Nov. 30/94	$43,233.84 to $49,130.64	Aug. 29/94
Mr. Erik Hess	E	Parks Development Superintendent (J)	Public Works	Replacing Mr. W. Plessl - promoted Jan. 03/94	$53,779.96 to $63,398.40	Sept. 19/94

Prepared September 28/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Lorn LeBlanc	I	Caretaker (6-D)	Property	Replacing Mr. T. Mountain - promoted, May 16/94	$27,839.24 to $30,258.80	Aug. 22/94
Mr. Craig Martin	E	Gardener II (D-14)	Public Works	Replacing Mr. S. Abbott - promoted, June 27/94	$36,052.64	Sept. 06/94
Mr. Lorne McArthur	E	Gardener II (D-14)	Public Works	Replacing Mr. J. Green - promoted, Aug. 22/94	$36,052.64	Sept. 06/94
Ms. Sheila Munday	I	Gardener I (D-17)	Public Works	Replacing Mr. P. D'Ambrosio - retired, Dec. 31/93	$36,385.44 to $42,005.60	July 11/94
Mr. Tullio Pianegonda	I	Signs Markings Specialist (11-C)	Traffic	Replacing Mr. A. Gaudet - retired, June 30/94	$28,956.20 to $31,989.88	Sept. 19/94
Mr. Miroslaw Rychltk	E	Gardener II (D-14)	Public Works	Replacing Mr. E. Carreiro - retired, Dec. 31/93	$36,052.64	Aug. 22/94

Prepared September 28/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Nello Violin	E	Gardener II (D-14)	Public Works	Replacing Mr. K. Riimand - promoted, June 13/94	$36,052.64	Aug. 15/94
Mr. John Willard	I	Lead Hand/Truck Driver (D-17)	Public Works	Replacing Mr. J. Keenan - resigned, April 04/94	$37,146.72	Sept. 05/94

Prepared September 28/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Gunther Ahrens	Labourer	Public Works	Terminated	21 years, 2 months	Aug. 24/94
Mr. Jack Dickeson	Caretaker	Property	Terminated	10 months	Aug. 19/94
Ms. Gloria Garvin	Catering Clerk/Typist	Convention Centre	Resigned	5 years, 4 months	Aug. 16/94
Ms. Betty Goddard	Secretary-Manager Food/Beverage	Convention Centre	Retired	17 years, 1 month	Aug. 31/94
Ms. Patty Ann Smith	Accounting Clerk	Copps Coliseum	Terminated	7 years, 2 months	Sept. 16/94

Prepared September 28/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

G.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 3rd

REPORT TO: Alderman D. Ross, Chairperson & Members
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - City Clerk - Night Time Taxi Stands - Downtown Core - Mayor's Task Force on Downtown Issues and Renewal - report dated 1994 September 20th

(b) Information Report - Commissioner of Human Resources - Human Resources Information System - report dated 1994 September 19th

(c) Minutes - French Sub-Committee - meetings held 1994 April 29 and 1994 May 27

(d) Correspondence - Federation of Canadian Municipalities - Request for resolutions for consideration at the 1994 December meeting of FCM, National Board of Directors.

(e) Correspondence - Regional Clerk's Office - Actions of Regional Council on its response to the Roomers and Boarders Task Force - letter dated 1994 September 26.

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: n/a

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

2.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 28

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Information Systems Operational Review
Steering Committee

SUBJECT: Appointment of Consultant to perform the Operational Review of the Information Systems Department

RECOMMENDATION:

a) That the Mayor and City Clerk be authorized to execute agreements with Andersen Consulting of Etobicoke, and Compass Analysis of Kitchener to perform the Operational review of the Information Systems Department, based on their joint proposal dated 1994 June 30th.

b) That purchase orders be issued to Andersen Consulting with an upset limit of $54,000 and to Compass Analysis with an upset limit of $45,000 to perform the Study (total cost $100,000).

c) That the Region be advised of their share ($50,000) of the Study.

d) That these recommendations be forwarded via Regional Council to the Administrative Services Committee for their information.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financing, and cost sharing (50%) with the Region for the Operational Review has been previously approved by City and Regional Councils.

BACKGROUND:

City Council at its meeting of 1993 November 30th, and Regional Council at its meeting on 1994 April 27th approved of an Operational Review of the Information Systems Department based on a 50% contribution by the Region .

A Request for Proposals (RFP) for an Operational Review of the Information Systems Department was issued by the Purchasing Department which included advertisement in the local newspaper. Two proposals were subsequently received by the closing date of 1994 June 30th. One proposal received was a joint bid by Andersen Consulting and Compass Analysis, the other was from LGS Group. However, the LGS proposal was unsigned and was not considered.

The selection Committee (Region and City CAO's, and other staff representatives from the Region and City) subsequently interviewed Andersen Consulting and Compass Analysis. Based on the joint RFP received and the interview, it is recommended that Andersen Consulting and Compass Analysis be approved to undertake the Study provided that an upset limit be set at $100,000 for the work. The amount is within the budget for the Study.

Compass Analysis will be responsible for the detailed cost analysis and comparisons. Andersen Consulting will be responsible for the operational review aspects of the Study as well as the integration of the Compass Analysis results into a final report.

The proposal particulars from Compass Analysis include guarantee provisions that if they fail to identify and document potential savings, their fee is reduced. Therefore, separate contracts are recommended in order to ensure that these guarantee provisions are retained and also to simplify the administration of the Study.

Based on the provisions of the RFP and subsequent bids received, the Study cost has been reduced to $100,000 (upset limit) to be shared equally between the City and the Region.

3.

CITY OF HAMILTON
- RECOMMENDATION-

DATE: 1994 October 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Increased Capital Financing for the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit Project

RECOMMENDATION:

a) That the Parkdale Arena Retrofit Project for $1,739,000., originally approved as part of the 1994 -2003 Capital Budget, be increased to $2,000,000.

b) That the Inch Park Arena Retrofit Project for $1,739,000., originally approved as part of the 1994 - 2003 Capital Budget, be increased to $2,000,000.

c) That the total increased cost in the amount of $522,000. for these two projects be financed as follows: $227,000. from the 1994 Capital Contingency Reserve for Capital Projects, Account Centre No. CH 00203 (all the funds remaining within that account) and the balance of $295,000. through the issuance of debentures, with the additional funding to be split between the two projects.

d) That the City Solicitor be authorized to prepare the appropriate by-laws for these two projects requiring debenture financing for approval of City Council.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1994 Capital Budget includes a provision of $500,000. for Capital Contingency to accommodate: any unforeseen increased costs of projects; to assist with the implementation of current budget reduction packages; and/or any unforeseen reduction to provincial subsidy allocation for Capital Projects. The net amount remaining in the Capital Contingency is $227,000. This recommendation would deplete the account to 0 and require the remaining $295,000. to be financed. Both these projects were originally debenture financing, therefore further increase in project costs requires an increase in debentures. Annual debt charges on $295,000. is approximately $46,000.

BACKGROUND:

At the 1994 March 29th, meeting of the Committee of Whole the original capital projects for Inch Park and Parkdale were considered and approved within the 1994-2003 Capital Budget.

The details of the recommended adjustments for these projects are outlined in the attached report from D. Vyce, Director of Property and P. Noé Johnson, Interim Director of Culture and Recreation, dated 1994 September 28th, which is expected to be considered by the Parks and Recreation Committee at a special meeting of 1994 October 4th.

DISCUSSION:

In total, $522,000. in additional funding is required to accommodate the proposed project adjustments. Additional funding for these two projects was discussed by the Capital Budget Sub-Committee on 1994 September 26th. After discussion of the possible methods to increase the funding, the following was supported by the group:

- Capital Contingency - that the remaining balance of $227,000 be allotted to these two projects with the knowledge that there will be no funds available for the remainder of 1994.

- Fund the remaining $295,000. through debenturing. However, it must be recognized that these requirements are in addition to the 1994 debenturing effort, contemplated within the 1994-2003 Capital Budget Forecast. This increased funding will impact upon our ability to issue debentures for 1995 and beyond. Accordingly, it is recommended that trade-off reductions be sought as part of the 1995 Capital Budget deliberations to offset the impact in the following priority order:

    1. Culture and Recreation review potential for trade-offs between increased funds for these projects and capital projects previously forecast for 1995.

    2. The Parks and Recreation Committee review potential projects under the jurisdiction of the Committee for potential trade-offs for capital projects previously forecast for 1995.

    3. That all other 1995 Capital Projects be reviewed for potential trade-offs for capital projects previously forecast for 1995.

The above reductions would be necessary to stay within the financial parameters for the 1994-2003 Capital Budget and Forecast approved by Council on 1994 March 29th.

/cs

cc: Alderman D. Wilson, Ward 4
Alderman H. Merling, Ward 7
K. C. Christenson, Secretary, Parks and Recreation Committee
Members of the Capital Budget Sub-Committee
P. Noé Johnson, Interim Director of Culture and Recreation
D. Vyce, Director of Property

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 28

REPORT TO: Kevin C. Christenson, Secretary
Parks and Recreation Committee

FROM: D. W. Vyce
Director of Property

P. Noé Johnson
Interim Director of Culture & Recreation

SUBJECT: Parkdale Arena Renovations & Additions

RECOMMENDATION:

a) That the Capital allocation for the Parkdale Arena Renovations & Additions be increased from $1,739,000. (Account CF 709441023) to $2,000,000. based on a cost estimate of a design option preferred by the Community and the End User Committee which provides a better long term usage and function of the renovated/expanded facility; and,

b) That the Finance and Administration Committee recommend the method of financing; and,

c) That the staff be authorized to tender the project as soon as construction and tender documents are completed to fast track construction and reopen the facility by the first week of October 1995.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

a) The addition of $261,000. to the total cost of the project will increase the construction cost estimate from $1,200,000. to $1,450,000.

b) Cost break down provided in Appendix A.

BACKGROUND:

a) City Council had approved the project on 1994 March 29 as part of the Capital budget process.

b) The project cost estimate was provided by P.B.K Consultant's feasibility study and was based on a building programme devised by staff with limited public input due to lack of participation in the public meetings.

c) City Council on its meeting of May 31, 1994 authorized staff to enter into a contract with P.B.K. Architects & Engineers of Burlington.

d) Since then, the Consultant and Staff have been soliciting public input through a series of Public and End User Group meetings. There was a total of 7 design options presented, developed and improved upon through the discussions of the long term objectives of the facility. These discussions impacted on the programme originally devised and expanded the functions of the arena.

e) The user group and the community prefer Design Option B over Design Option A (both attached) for the following reasons:-

   (i) better and spacious overall facility which provides adequate space for congregating public.

   (ii) better control over public corridors allowing activities to take place under direct supervision of staff.

   (iii) required separation between players and parents/spectators circulation areas.

   (iv) additional needed storage spaces.

   (v) opportunities for revenue generated through a concession.

   (vi) accessible change rooms for both the pool and the arena.

(vii) provision of 6 change rooms at both sides of the arena which will allow for back to back programme similar to other facilities in the City.

(viii) variation of change rooms sizes to accommodate both sexes (Male and Female Hockey) of different ages.

f) Both the Design Options A & B provide a better environmental control to the arena, energy efficiency and better aesthetics. The expansion and new construction shall be fully integrated with the existing facility and the overall appearance of the arena will be improved.

g) The estimated cost of the total project under Option B is $2,000,000. or $261,000. greater than Option A which is within the budget allocated for this project. If Option B is the preferred choice of City Council, additional funding will be required as the project will be beyond the original scope. Discussions have been held with the City Treasurer with regards to financing the excess funding requirements for both this arena and Inchpark Arena. In the event the Parks & Recreation Committee approves of the recommendation herein to proceed with Option B, the financing of the excess funding requirements will be forwarded for consideration to the Finance & Administration Committee.

HK/am

c.c. Alderman G. Copps, Alderman, Ward 4
Alderman D. Wilson, Alderman, Ward 4
Alderman D. Ross, Alderman, Ward 8,
Chairman of Finance & Administration Committee
S. Reeder, Legislative Assistant I
J. Pavelka, Chief Administrative Officer
A. C. Ross, Treasurer
H. Kayal, Project Manager

ARCHITECTURAL DIVISION
PROPERTY DEPARTMENT
CITY OF HAMILTON

CLASS 'D' ESTIMATE
PROJECT MANAGER: H. KAYAL
PARKDALE ARENA RENOVATIONS & ADDITIONS

FILE: AD–94–006
DATE: 94–09–26
PAGE: 1

ITEM NO.	PROJECT ITEM		OPTION A	OPTION B	REMARKS
1.	**SITE** Site Evaluation and Inspection Travel Costs – Consultant Appraisal Fees Soils Investigation Report Purchase Price Legal Land Survey Realty Agents Fee Expropriation Fees Tax Adjustment Topographical Survey Other				Land Cost is not included
	SITE SUB–TOTAL	$0.00	$0.00	$0.00	
2.	**DESIGN** Feasibility Study Fees – Consultant Inspection and Report Charges Management Fees Consultant Fees/ Consultant Fees/Architectural Consultant Fees/Structural Consultant Fees/Mechanical Consultant Fees/Electrical Speciality Consultant Fees (S.C.F.) – Cost Consultant S.C.F. – Landscape S.C.F. – Interior Design S.C.F. – Hardware S.C.F. – C.P.M. Other Expenses/Consultants Other	$0.00	$140,000.00	$140,000.00	Includes Architectural, Structural Mechanical, Electrical, Landscape Architect and Interior Design Services. Based on Architects Association's recommended fee Schedule @12 % of item 5.
	DESIGN SUB–TOTAL	$0.00	$140,000.00	$140,000.00	

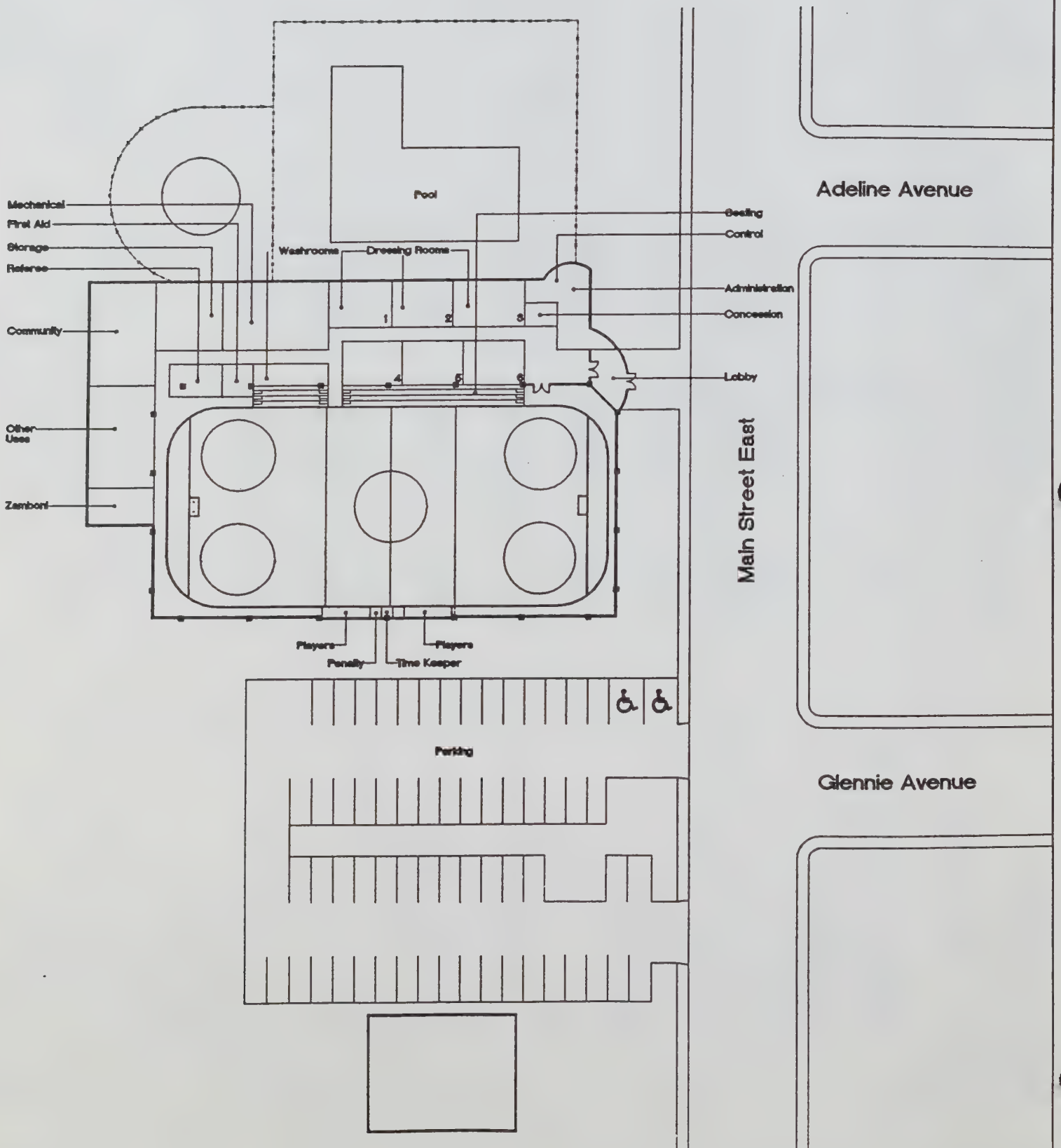
ITEM NO.	PROJECT ITEM		OPTION A	OPTION B	REMARKS
3.	**FINE ART** Cost of Art Work Cost of Maquette, etc. Artists Fee Other	$0.00	$11,500.00	$11,500.00	At approximately 1% of item 5 below
	FINE ART SUB-TOTAL	$0.00	$11,500.00	$11,500.00	
4.	**TENDERING** Advertising Printing Other	$0.00	$10,000.00	$10,000.00	
	TENDERING SUB-TOTAL	$0.00	$10,000.00	$10,000.00	
5.	**CONSTRUCTION** Estimated Price (or Contract Amt.) Site Sign Supervision – Clerk of Works – Consultant – Other Expenses/Consultant Expenses/Other Other	$0.00	$1,200,000.00	$1,450,000.00	
	CONSTRUCTION SUB-TOTAL	$0.00	$1,200,000.00	$1,450,000.00	
6.	**COMMISSIONING** Move – In De-commission existing facilities Disposal of surplus equip. & furn. Other (Temporary Accomodations)	$0.00	$5,000.00	$5,000.00	
	COMMISSIONING SUB-TOTAL	$0.00	$5,000.00	$5,000.00	

ITEM NO.	PROJECT ITEM		OPTION A	OPTION B	REMARKS
7.	**FURNITURE & EQUIPMENT** Furniture/Office Furniture/Other Equipment/Office Equipment/Other Other	$0.00	$30,000.00	$30,000.00	
	FURN. & EQUIP. SUB-TOTAL	$0.00	$30,000.00	$30,000.00	
8.	**CITY PROJECT COSTS** Building Permit Fee Printing Expenses Travel Expenses Other Expenses Staff Other	$0.00 $0.00 $0.00	$10,000.00 $2,000.00 $100,000.00	$10,500.00 $2,000.00 $105,000.00	 Project Management Fees
	TENDERING SUB-TOTAL	$0.00	$112,000.00	$117,500.00	
9.	**MISCELLANEOUS** Photographs Opening Ceremony Expenses Other – Net G.S.T. @ 3%	$0.00	$5,000.00	$5,000.00	
	MISCELLANEOUS SUB-TOTAL	$0.00	$5,000.00	$5,000.00	
	TOTAL (ITEMS 1-9)	$0.00	$1,513,500.00	$1,769,000.00	
10.	**GENERAL CONTINGENCY** Class 'D' Estimate Class 'C' Estimate Class 'B' Estimate Class 'A' Estimate Budget	$0.00	$225,500.00	$231,000.00	
	CONTINGENCY TOTAL	$0.00	$225,500.00	$231,000.00	
	TOTAL PROJECT CLASS 'D' EST.	$0.00	$1,739,000.00	$2,000,000.00	
	TOTAL PROJECT BUDGET				

PARKDALE POOL AND ARENA

Option A

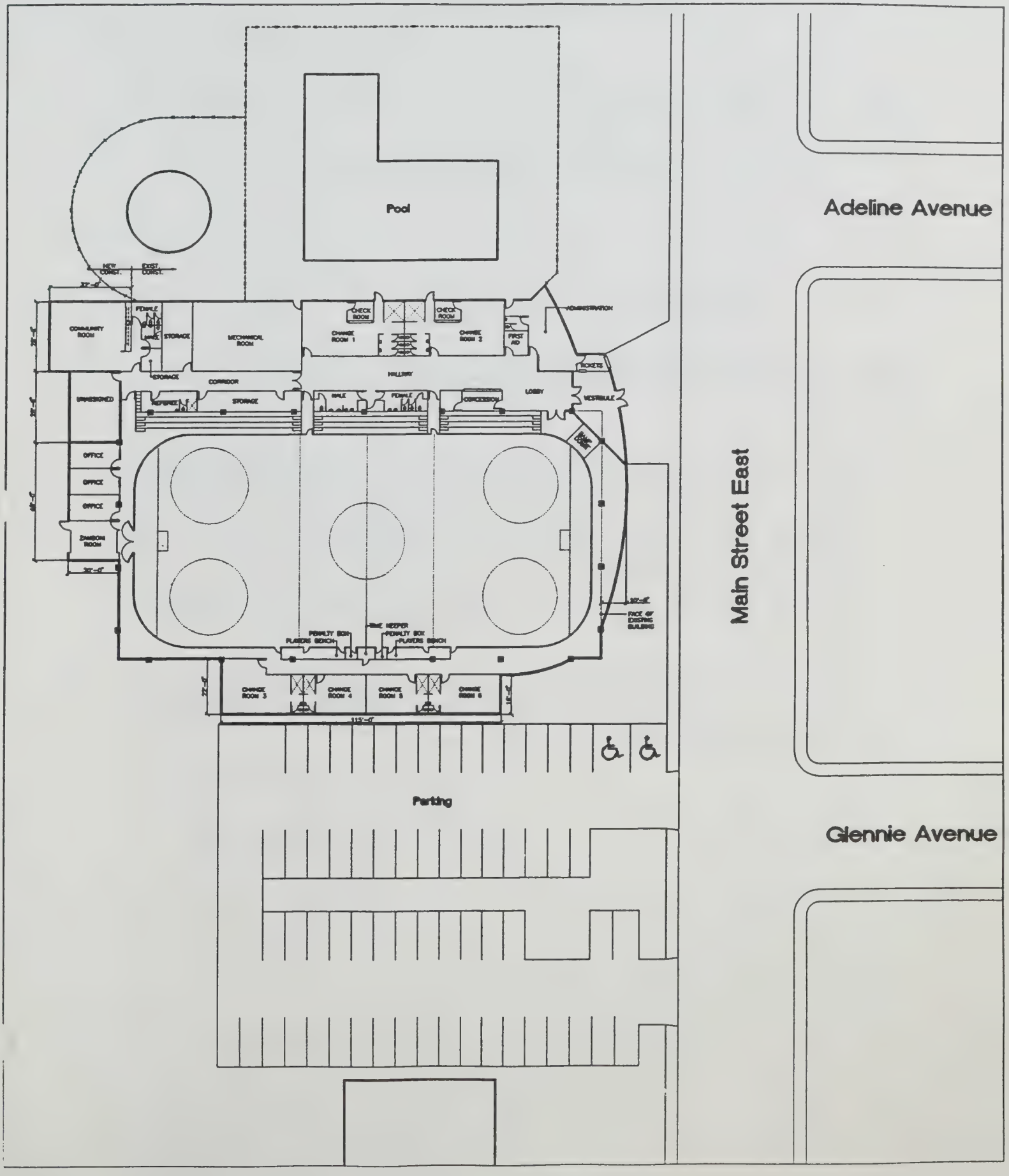
PBK ARCHITECTS AND ENGINEERS LTD.



PARKDALE POOL AND ARENA

Option B

PBK ARCHITECTS AND ENGINEERS LTD.



CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 28

REPORT TO: Kevin C. Christenson, Secretary
Parks and Recreation Committee

FROM: D. W. Vyce
Director of Property

P. Noé Johnson
Interim Director of Culture & Recreation

SUBJECT: Inch Park Arena Renovations & Additions

RECOMMENDATION:

a) That the Capital allocation for the Inch Park Arena Renovations & Additions be increased from $1,739,000. (Account CF 709441024) to $2,000,000. based on a cost estimate of a design option preferred by the Community and the End User Committee which provides a better long term usage and function of the renovated/expanded facility; and,

b) That the Finance and Administration Committee recommend the method of financing; and,

c) That the staff be authorized to tender the project as soon as construction and tender documents are completed to fast track construction and reopen the facility by the first week of October 1995.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

a) The addition of $261,000. to the total cost of the project will increase the construction cost estimate from $1,200,000. to $1,450,000.

b) Cost break down provided in Appendix A.

BACKGROUND:

a) City Council had approved the project on 1994 March 29 as part of the Capital budget process.

b) The project cost estimate was provided by P.B.K Consultant's feasibility study and was based on a building programme devised by staff with limited public input due to lack of participation in the public meetings.

c) City Council on its meeting of May 31, 1994 authorized staff to enter into a contract with P.B.K. Architects & Engineers of Burlington.

d) Since then, the Consultant and Staff have been soliciting public input through a series of Public and End User Group meetings. There was a total of 7 design options presented, developed and improved upon through the discussions of the long term objectives of the facility. These discussions impacted on the programme originally devised and expanded the functions of the arena.

e) The user group and the community prefer Design Option B over Design Option A (both attached) for the following reasons:-

   (i) better and spacious overall facility which provides adequate space for congregating public.

   (ii) better control over public corridors allowing activities to take place under direct supervision of staff.

   (iii) required separation between players and parents/spectators circulation areas.

   (iv) additional needed storage spaces.

   (v) opportunities for revenue generated through a concession.

   (vi) accessible change rooms for both the pool and the arena.

(vii) provision of 6 change rooms at both sides of the arena which will allow for back to back programme similar to other facilities in the City.

(viii) variation of change rooms sizes to accommodate both sexes (Male and Female Hockey) of different ages.

f) Both the Design Options A & B provide a better environmental control to the arena, energy efficiency and better aesthetics. The expansion and new construction shall be fully integrated with the existing facility and the overall appearance of the arena will be improved.

g) The estimated cost of the total project under Option B is $2,000,000. or $261,000. greater than Option A which is within the budget allocated for this project. If Option B is the preferred choice of City Council, additional funding will be required as the project will be beyond the original scope. Discussions have been held with the City Treasurer with regards to financing the excess funding requirements for both this arena and Parkdale Arena. In the event the Parks & Recreation Committee approves of the recommendation herein to proceed with Option B, the financing of the excess funding requirements will be forwarded for consideration to the Finance & Administration Committee.

HK/am

c.c. Alderman H. Merling, Alderman, Ward 7
Alderman T. Anderson, Alderman, Ward 7
Alderman D. Ross, Alderman, Ward 8,
Chairman of Finance & Administration Committee
S. Reeder, Legislative Assistant I
J. Pavelka, Chief Administrative Officer
A. C. Ross, Treasurer
H. Kayal, Project Manager

ITEM NO.	PROJECT ITEM		OPTION A	OPTION B	REMARKS
1.	SITE Site Evaluation and Inspection Travel Costs – Consultant Appraisal Fees Soils Investigation Report Purchase Price Legal Land Survey Realty Agents Fee Expropriation Fees Tax Adjustment Topographical Survey Other				Land Cost is not included
	SITE SUB-TOTAL	$0.00	$0.00	$0.00	
2.	DESIGN Feasibility Study Fees – Consultant Inspection and Report Charges Management Fees Consultant Fees/ Consultant Fees/Architectural Consultant Fees/Structural Consultant Fees/Mechanical Consultant Fees/Electrical Speciality Consultant Fees (S.C.F.) – Cost Consultant S.C.F. – Landscape S.C.F. – Interior Design S.C.F. – Hardware S.C.F. – C.P.M. Other Expenses/Consultants Other	$0.00	$140,000.00	$140,000.00	Includes Architectural, Structural Mechanical, Electrical, Landscape Architect and Interior Design Services. Based on Architects Association's recommended fee Schedule @12 % of item 5.
	DESIGN SUB-TOTAL	$0.00	$140,000.00	$140,000.00	

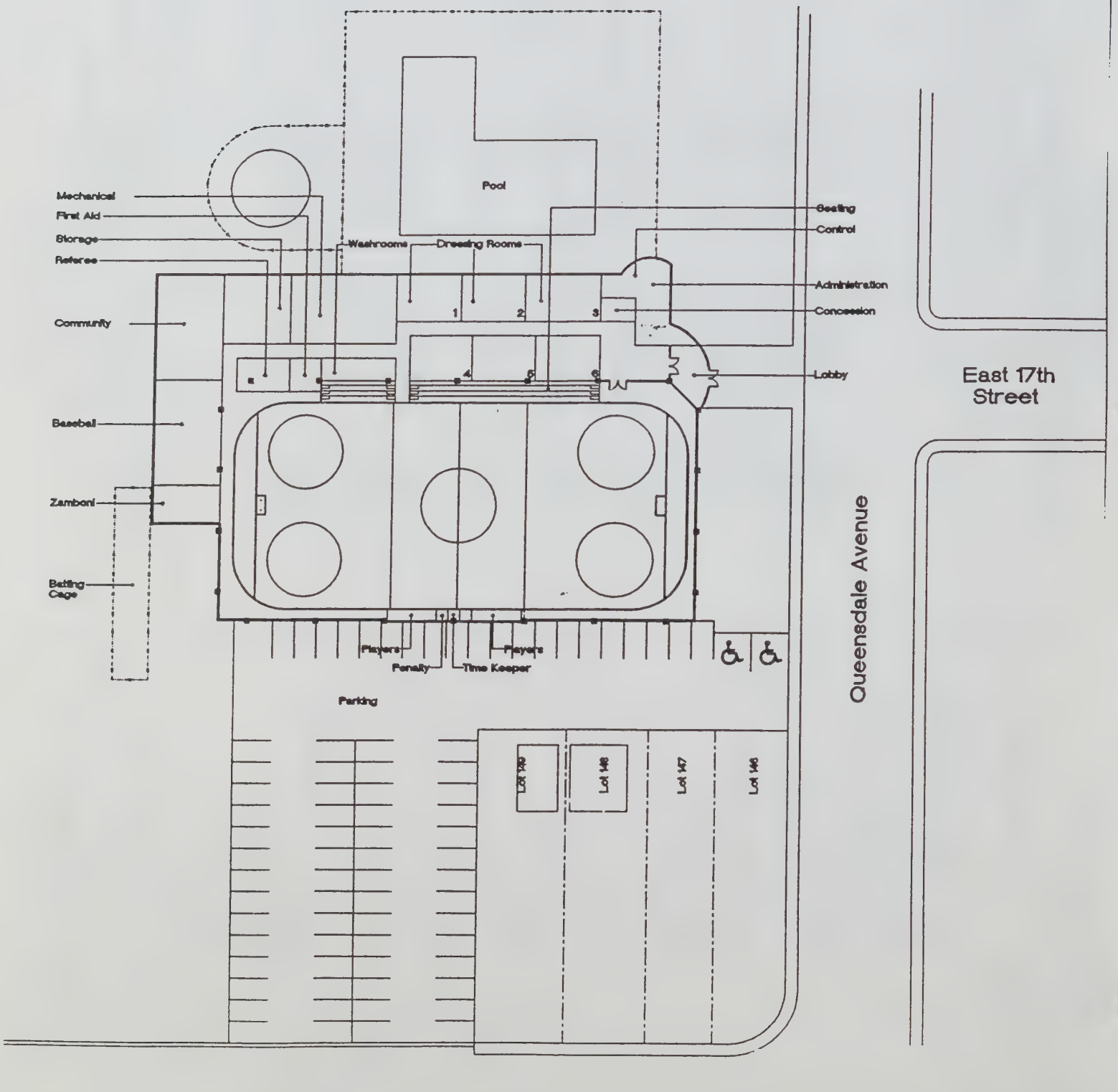
ITEM NO.	PROJECT ITEM		OPTION A	OPTION B	REMARKS
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9.	**MISCELLANEOUS** Photographs Opening Ceremony Expenses Other – Net G.S.T. @ 3%	$0.00	$5,000.00	$5,000.00	
	MISCELLANEOUS SUB-TOTAL	$0.00	$5,000.00	$5,000.00	
	TOTAL (ITEMS 1-9)	$0.00	$1,513,500.00	$1,769,000.00	
10.	**GENERAL CONTINGENCY** Class 'D' Estimate Class 'C' Estimate Class 'B' Estimate Class 'A' Estimate Budget	$0.00	$225,500.00	$231,000.00	
	CONTINGENCY TOTAL	$0.00	$225,500.00	$231,000.00	
	TOTAL PROJECT CLASS 'D' EST.	$0.00	$1,739,000.00	$2,000,000.00	
	TOTAL PROJECT BUDGET				

INCH PARK POOL AND ARENA

Option A

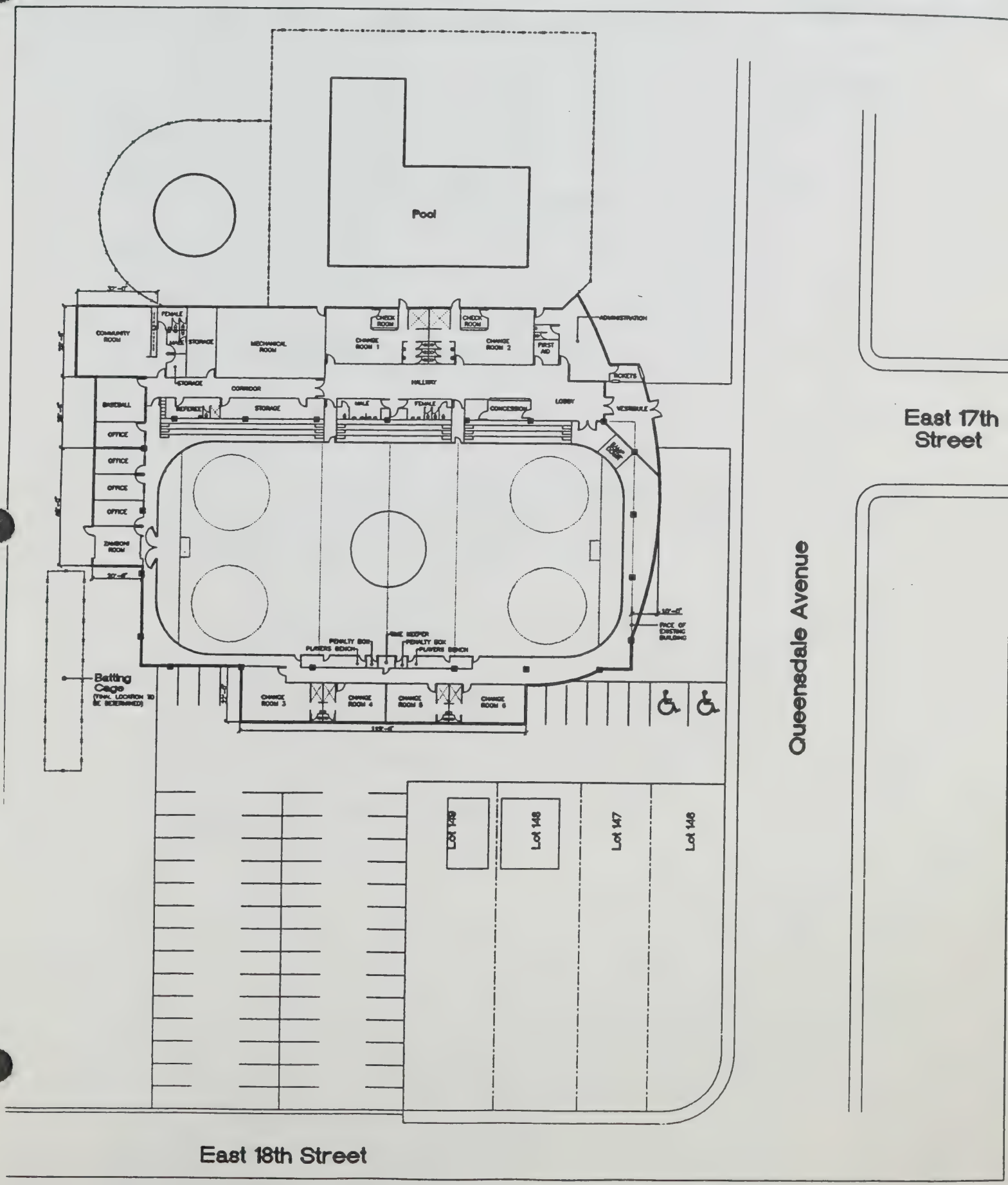
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INCH PARK POOL AND ARENA

Option B

PBK ARCHITECTS AND ENGINEERS LTD.



CITY OF HAMILTON

- RECOMMENDATION -

4. (a.)

SEP 29 1994

DATE: 1994 September 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Establishment of Parking Authority Lot
at 290-296 Victoria Avenue North

RECOMMENDATION:

That Item 15 of the 13th Report of the Finance and Administration Committee approved by City Council on 1994 August 30 authorizing the sale of 290 - 296 Victoria Avenue North to International Managed Health Care Inc., for the sum of $340,000 be deleted in its entirety and, replaced by the following in lieu thereof:

1. That the City's property known as 290-296 Victoria Avenue North be placed under the administration of the Parking Authority of the City of Hamilton and that the sum of $340,000 be transferred from Account No. CF 5698 909345006 (Land Acquisition - General) and credited to Account No. CH 4X501 00102 (Sale of Land - Property Purchases). Subject lands are to be used for a municipal parking lot, and are more particularly described as all of Lots 4 and 5, part of Lot 6, Registered Plan 33, in the City of Hamilton, containing 1,449.7 square metres (.358 acre) more or less; and,

2. That the Parking Authority of the City of Hamilton will clear and develop the site at their expense.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of $340,000 to be transferred from Account No. CF 5698 909345006 (Land Acquisition - General) and credited to Account No. CH 4X501 00102 (Sale of Land - Property Purchases).

BACKGROUND:

In June, 1992 these properties were circulated as they were deemed surplus to municipal requirements. The properties were listed for sale and an offer was received from International Managed Health Care Inc., which was approved by City Council on 1994 August 30. On 1994 September 13, by way of a fax, the Purchaser withdrew their offer because a condition in the offer regarding their Board approval was rejected. At this time the Parking Authority has requested that this property be placed under its adminstration as it has identified a need for a parking lot in this area. The sum of $340,000 is to be transferred from Account No. CF 5698 909345006 (Land Acquisition - General) and credited to Account No. CH 4X501 00102 (Sale of Land - Property Purchases) as this is the sum the City would have received if subject properties were sold on the open market.

AC/dcr

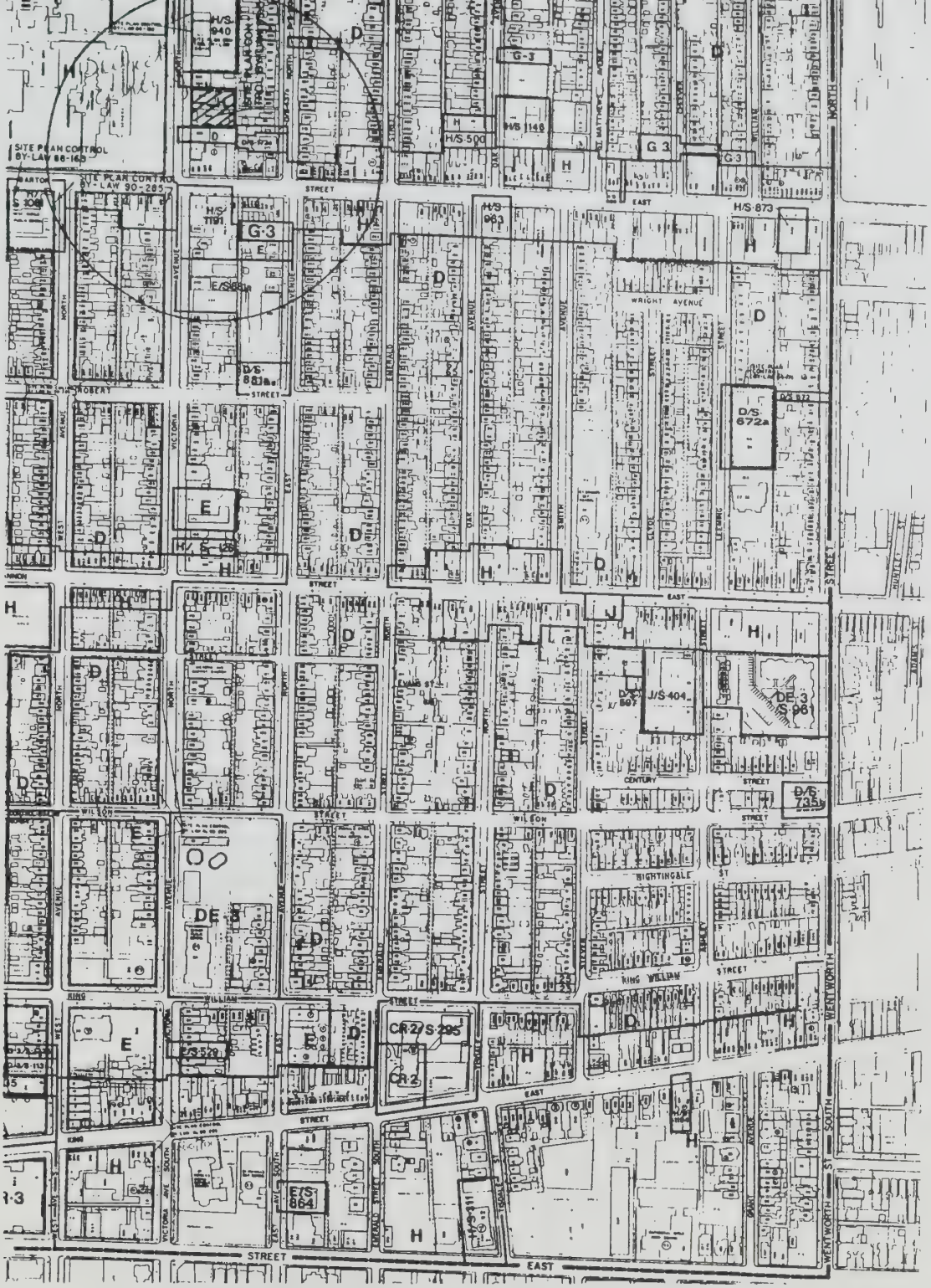
c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

C. Bandurka, Property Clerk, Surveys, Roads Department

P. G. Baker, General Manager, Parking Authority

(100.30.2)



106	69	70
10	95	48
31	125	124

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

CITY OF HAMILTON

LANDSDALE

ZONING

Neighbourhood Boundary
Zoning Boundary

SCALE 0 50m 100m

NORTH

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton - Wentworth

PLANNING 6608

PAGE NO. 95

CITY OF HAMILTON

- RECOMMENDATION -

4. (b.)

SEP 29 1994

DATE: 1994 September 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: City purchase from the Region
Lots 8, 9, 10, 11, Plan 62M-658
Dartnall Road, Hamilton

RECOMMENDATION:

1. That an Option to Purchase Agreement, scheduled for closing on or before 1995 February 15, for the conveyance by the Regional Municipality of Hamilton-Wentworth of Lots 8 to 11 inclusive, and Block 12 (subject to an easement in favour of Trans Canada Pipeline Ltd.), Plan 62M-658 on Dartnall Road, to the City of Hamilton, for the nominal sum of $1., said parcel having a frontage of 151.4 metres (496.72 feet) more or less, along the easterly limit of Dartnall Road, by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) more or less, and containing an area of 1.536 hectares (3.795 acres), be approved and completed; and,

2. That this Option to Purchase Agreement be subject to the following terms and conditions which form a part of this Agreement:

Schedule "A"

a) The Region and the City acknowledge and agree that the land being sold by the Region to the City for the sum of $1. is a portion of a larger (50.9 acre) parcel (Parts 1 and 3, Plan 62R-4932) of land deeded by the City to the Region on 1981 December 1, by Instrument No. 326987 A. B. on the following terms:

(i) The Region shall acquire additional adjacent land (about 6.5 acres - which land has been acquired) and then offer for sale as non-residential development its adjacent land and the former City land (together, hereinafter referred to as the "site");

(ii) The City and the Region will establish the value of their respective lands at an agreed upon date, namely 1978 June 30, based upon acquisition costs plus reasonable carrying charges. Based on these figures, a percentage ownership figure in the overall development (the site) will be determined;

(iii) The costs of the City and the Region as of the said agreed upon date of 1978 June 30, are as follows:

	Total Costs	Percentage
City of Hamilton	$1,571,366.93	92.62%
Regional Municipality of Hamilton-Wentworth	$ 125,211.60	7.38%
Site Costs	$1,696,578.53	100%

(iv) The City owned lands will then be transferred to the Region. (This was carried out by Deed 326987 A.B. referred to above). The Region will then undertake to service and develop and then sell the lands (the site) as an industrial subdivision;

(v) Upon the sale of these lands (the site), initially all servicing and development costs incurred in bringing this subdivision on stream will be paid. Once these costs are fully paid, then all further revenues will be split between the City and the Region, based on the above calculated percentage ownership formula;

b) The City accepts this Option to Purchase the subject land (Lots 8 to 11 inclusive and Block 12, Plan 62M-658) from the Region and both parties agree that the value of the subject land is $342,000. and that 7.38% of this land value may be deducted from the City's net sale proceeds of the balance of the site sales in order to re-imburse the Region for the portion of this property sale that would have been received by the Region had the subject land been sold to a third party;

c) The parties also agree that as the above financial terms apply to matters and adjustments between the two parties arising both before and after the completion of this particular lot sale to the City of Hamilton, that these financial terms acknowledged and agreed upon herein, shall not merge on closing of this particular lot sale, but shall continue in full force and effect between the parties;

3. That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The current market value of Lots 8 to 11 inclusive and Block 12 on Plan 62M-658 is $342,000. As the City and the Region have previously agreed to share the sale proceeds of the land bounded by Glover Road, Highway #53 and Dartnall Road (which includes Hamilton Mountain Industrial Park # 2) on a split of 92.62% for the City and 7.38% for the Region, the Region's Industrial Reserve account would be credited by the sum of $342,000. due to the fact that the City wants to acquire Lots 8 to 11 inclusive on Dartnall Road for a nominal sum ($1.) in order to assist the Hamilton S.P.C.A. The Director of Property will request an interim progress report from the Region on the joint City/Regional Hamilton Mountain Industrial Park # 2 area, the lot revenues and expenses incurred to date.

BACKGROUND:

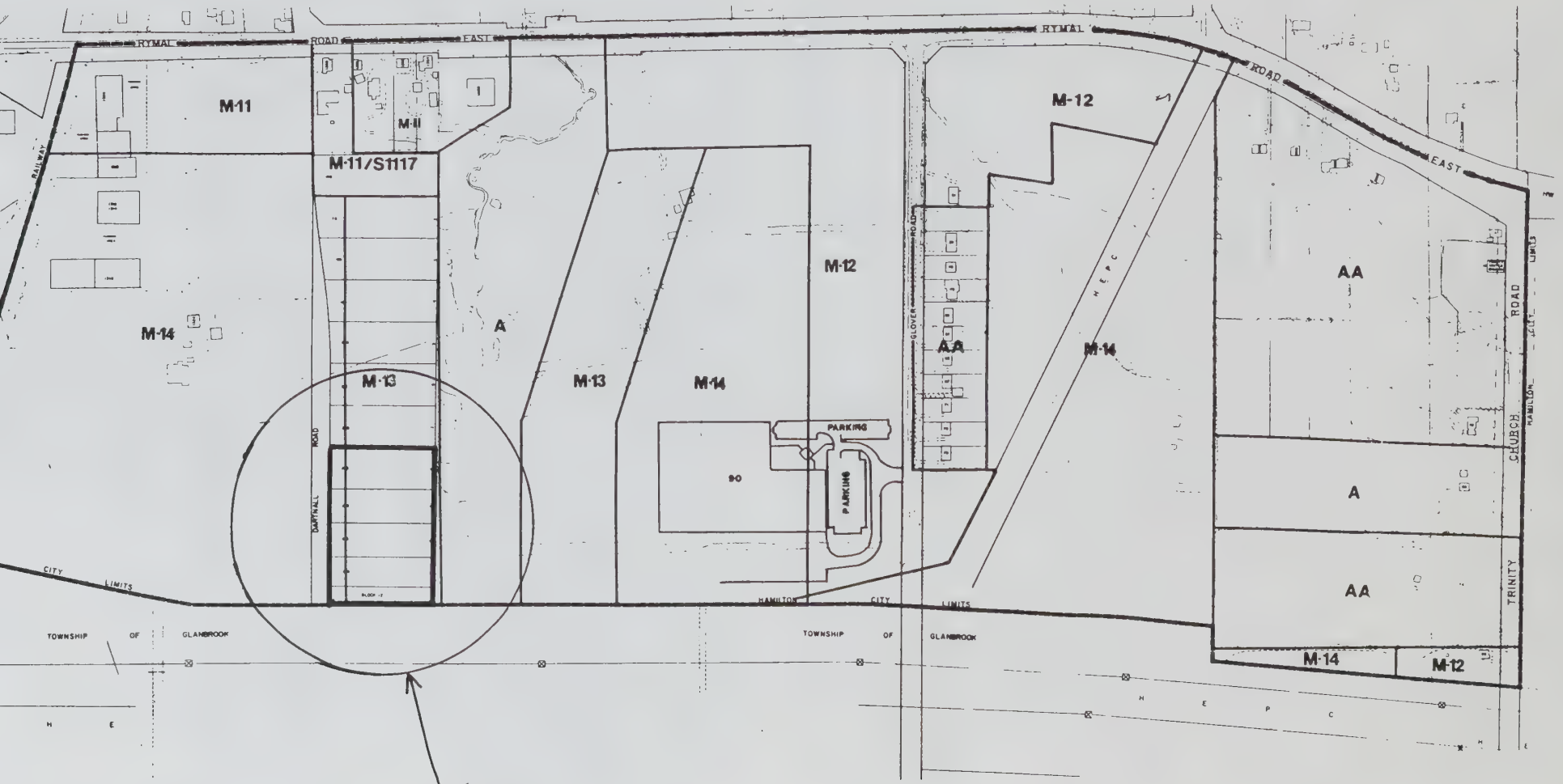
At is meeting on September 20, 1994 Regional Council, authorized the sale of Lots 8 to 11 inclusive, Hamilton Mountain Industrial Park No. 2, to the City of Hamilton in accordance with the terms of the attached Option to Purchase. For the information of the Committee, this arrangement with the Region is the same as was approved by City Council for the Hamilton Firefighters' Drum Corp. project.

The Hamilton S.P.C.A which plans to build a 33,000 square foot building for their new headquarters and animal hospital approached the City of Hamilton for assistance in this venture. The City in turn was successful in obtaining funds for City projects through the infrastructure program offered by the Federal and Provincial Governments and it was agreed assistance could be provided to the Hamilton S.P.C.A. through this venue.

In order for the City of Hamilton to provide funds for the Hamilton S.P.C.A. project through this infrastructure program, the lands need to be acquired by the City from the Region and granted to the S.P.C.A. by the City. A further report will be submitted to your Committee recommending the terms of the City's infrastructure and land grant to the S.P.C.A.

DC/nw

c.c. Joe Pavelka, Chief Administrative Officer
P. Noé Johnson, City Solicitor
Attention: J. Lessing
Attention: D. Powers
N. R. Adhya, Manager of Budgets, Treasury Department
S. Chandrashekar, Supervisor of Accounting, Treasury Department
C. Bandurka, Property Clerk, Surveys, Roads Department



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64 63

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Contact City Building Department

CITY OF HAMILTON

HANNON SOUTH

ZONING

Neighbourhood Boundary
Zoning Boundary.

0 100m
SCALE 50m
NORTH

Prepared for The City of Hamilton
by the Planning and Development Department
of The Regional Municipality of Hamilton-Wentworth

PLANNING UNIT NO 7403

JANUARY 1990

PAGE NO. 63

5.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 September 15

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: John Johnston
Commissioner, Human Resources

SUBJECT: Reclassifications - Building Department (C-025-094)

RECOMMENDATION:

That the following reclassifications in the Building Department be approved as follows; and,

Job Title	Summary of Duties	From	To
Mgr. of Administration	Monitor and review all procedures and policies related to the administration, operation and budget planning of the Dept. Make recommendations and co-ordinate implementation of same.	"M" $40,640 - $47,819	"K" $47,412 - $55,811
Administrative Asst II	Provide confidential secretarial services to the Building Commissioner. Perform as senior secretary in Building Department.	"P" $31,563 - $37,117	"O" $34,001 - $39,962

That these reclassifications be retroactive to March 9, 1994, which is the date new duties were assumed as a result of the department's restructuring process.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There will be no negative financial impact on the Department or the Corporation.

BACKGROUND:

As part of the restructuring of the department, approved by the Committee of the Whole on 1994 February 11, two previous positions of Budget Co-ordinator and Building Applications Analyst were combined and became the new Manager of Administration. It is believed that one position assuming responsibility for reviewing and monitoring the budget process and recommending policy improvements would add to the overall efficiencies of the department and result in considerable cost conservation.

The restructuring also has had an impact on the Administrative Assistant's position in that certain administrative duties have been reassigned, significantly increasing the degree and scope of the responsibilities relating to this position.

A Report dated 1994 June 7, outlining the Department's reorganizational philosophy as it affects these two positions and requesting that they be forwarded to Human Resources for review and re-evaluation, was approved by Council on 1994 June 28.

TE/tf

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

OCT 18 1994

GOVERNMENT DOCUMENTS

Thursday, 1994 October 20th
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder
Susan K. Reeder
Secretary

AGENDA

1. PRIVATE AND CONFIDENTIAL AGENDA

A. PRESENTATION - **Barrier Free Design Standards**

(a) Director of Property - Adoption of Barrier Free Design Standards

(b) Correspondence - Regional Clerk's Office - Referral of the Barrier Free Design Standards to area municipalities for action.

2. CONSENT AGENDA

3. DIRECTOR OF PROPERTY

(a) City Sale of Parts 8, 9, 10, and 11 plus Block 12, Plan 62M-658, Dartnall Road to The Hamilton Society for the Prevention of Cruelty to Animals (HSPCA); and Proposed Funding Agreement between the City and the H.S.P.C.A. regarding use and advance of Infrastructure funds

(b) City Hall Cafeteria - Sale of Nevada Tickets to aid Charitable fundraising.

(c) Proposed Lease with Junior Achievement of Hamilton-Wentworth - Upper Wentworth Composite Building.

4. FRENCH SUB-COMMITTEE

Change in Composition of French Sub-Committee

(a) Recommendation - City Clerk

5. CORRESPONDENCE

Alderman D. Wilson - Request for the City's endorsement of the efforts of the Central West Emergency Helicopter Committee

6. TREASURER

(a) Write off of outstanding business taxes

(b) Procedures - Extension Agreements (copy to follow)

7. ACTING DIRECTOR OF PUBLIC WORKS

Quality of Wheelchair Tires

8. CITY CLERK

Request from the Hamilton Gallery of Distinction for the City to purchase a table of 10 for the 1994 Induction Ceremonies and Dinner

9. OTHER BUSINESS

10. ADJOURNMENT

A. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 11

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM D. W. Vyce,
Director of Property

SUBJECT: Adoption of Barrier Free Design Standards

RECOMMENDATION:

a) That the Barrier Free Design standards, adopted by Regional Council, in its meeting of 1994 October 04, be adopted by Hamilton City Council.

b) That the said standards be mandatory for all newly constructed, retrofitted buildings owned, leased or funded, partially or fully, by the City of Hamilton.

c) That the affected Departments be requested to review their previously authorized and future project budgets and make recommendations to their respective Standing Committees regarding any increased cost of a project as a result of (b) above.

d) That the Corporation of the City of Hamilton, through the project management function in the Property Department, be given the authority to ensure compliance with the said standards during the pre-planning, design, construction documents preparation and the contract administration phase.

e) That the City Solicitor, the Building Department and the Property Department form a task force to investigate the legislative requirements to adopt these standards on a provincial level.

f) That staff of the Architectural Division, Property Department, be authorized to review the said standards every 3-5 years to maintain its status with technology and construction advancements.

...\2

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

a) Application of Barrier Free Design Standards at the time of design and construction of buildings may impact on the total construction cost by up to 1-1.5% of the total cost.

b) Such application shall preempt costly work and prevent retrofitting work and prevent potential citizen complaints based on the Ontario Human Rights Code.

BACKGROUND:

a) SUB COMMITTEE MISSION STATEMENT
The Barrier Free Design Subcommittee recommends to its parent regional committees a set of design standards which addresses the elimination of physical barriers in the built environment.

b) SUB COMMITTEE MANDATE
The Barrier Free Design Subcommittee is committed to providing the community with a set of design standards that will lead to the elimination of barriers facing persons with various disabilities in the built environment.

c) HISTORY AND BACKGROUND
The Barrier Free Design Sub-Committee is a sub-committee of the Regional Advisory Committee for persons with physical disabilities. The Barrier Free Design Sub-Committee was initiated in 1985 in response to employment equity legislation. The purpose was to investigate the potential of modifying the work place to accommodate persons with physical disabilities. The main question posed to the sub-committee was which building standard should be applied. An evaluation of existing Barrier Free Design Standards was to take place to decide the most suitable. Unfortunately, none were complete or satisfactory. The sub-committee mandate, at this point, was transformed to put together a set of standards which, when applied, shall provide the Region and the City with a complete and satisfactory set of Barrier Free Design Standards. Since 1991, the sub-committee has been meeting monthly to achieve its mandate. In 1994 the Barrier Free Design Sub-Committee is presenting to the Regional Council and Hamilton City Council a set of standards, that are most comprehensive and go beyond all other available documents. The Standards are the collective knowledge and expertise of the participants, the input of the public and resource group, and the extensive research of available Canadian and American building codes and design standards.

d) For information and a complete document, please call H. Kayal ext. 4606.

HWK/am

c.c. Alderman G. Copps, Alderman, Ward 4
J. Pavelka, Chief Administrative Officer
V.J. Abraham, M.C.I.P., Chairman, Capital Budget Sub-Committee
P. Noé Johnson, City Solicitor
Allan C. Ross, Treasurer
H. Kayal, Project Manager

MISSION STATEMENT

THE BARRIER FREE DESIGN SUBCOMMITTEE IS COMMITTED TO PROVIDING THE COMMUNITY WITH A SET OF DESIGN STANDARDS THAT WILL LEAD TO THE ELIMINATION OF BARRIERS FACING PERSONS WITH VARIOUS DISABILITIES IN THE BUILT ENVIRONMENT

MANDATE

THE BARRIER FREE DESIGN SUBCOMMITTEE RECOMMENDS TO ITS PARENT REGIONAL COMMITTEES A SET OF DESIGN STANDARDS WHICH ADDRESSES THE ELIMINATION OF PHYSICAL BARRIERS IN THE BUILT ENVIRONMENT

EXECUTIVE SUMMARY

HISTORY AND BACKGROUND

The Barrier Free Design Sub-Committee is a sub-committee of the Regional Advisory Committee for Persons with Physical Disabilities. The Barrier Free Design project was initiated in 1985 in response to employment equity legislation. The purpose was to investigate the potential of modifying the work place to accommodate persons with physical disabilities. The main question posed to the sub-committee was which building standard should be applied. An evaluation of existing Barrier Free Design Standards took place to decide the most suitable. Unfortunately, none were complete or satisfactory. The sub-committee mandate, at this point, was transformed to put together a set of standards which, when applied, shall provide the Region and the City with a complete and satisfactory set of Barrier Free Design Standards. Since 1991, the sub-committee has been meeting monthly to achieve its mandate. In 1994 the Barrier Free Design Sub-Committee is presenting to Regional Council and Hamilton City Council a set of standards, that are most comprehensive and go beyond all other available documents. The Standards are the collective knowledge and expertise of the participants, the input of the public and resource group, and the extensive research of available codes and standards, both Canadian and American.

FINDINGS

1. Application of Barrier Free Design Standards at the time of the Design of buildings and facilities achieve a substantially "better" facility with minor construction cost increases (on average 1 - 1½%) which also avoid after the fact retrofits.

2. The development of the Standards proved that it is an evolving process which will continue to evolve with time. There are advances in technology, changes in construction methods and new developments in the health care system which all impact the standards.

3. The standards should be reviewed every 3-5 years to maintain its status with the technology advances.

EXECUTIVE SUMMARY

SCOPE AND APPLICATION

1. Mandatory for all newly constructed and retrofitted buildings owned, leased or funded (partially or fully) by the Regional and/or Municipal Government and shall be put forward to the municipalities within the Region for consideration.

2. Recommended for all other buildings and private developments whether new or retrofitted.

3. Compliance with these Standards is a condition upon which Site Plan approval and building permit will be issued.

4. In case of disputes and or/non-compliance;

   i. Site Plan to be submitted to the Planning Department for ruling (refer to Appendix A).

   ii. Building Standards to be submitted to the Building Commissioner for ruling (refer to Appendix B).

The Property Department and other Regional and City Departments, through the project management function, shall ensure compliance to the Barrier Free Standards during the pre-planning, design, construction documents preparation and the contract administration phase.

Section 1: GENERAL

1.1 General

i. The standards are set to respond to disabilities, such as mobility impairment, visual and hearing impairments, co-ordination and endurance impairments.

ii. The standards contain minimum dimensions for *Adult* persons with disabilities. Prior to the design stage, special consideration should be given to the function and the patrons of a facility. A review and upgrade of the standards may be required in which case the facilities management departments of both the City and the Region would appreciate correspondence indicating the upgraded standards used.

iii. The standards shall be incorporated into the overall design for the project.

iv. It is recommended to use automatic/automated devices and equipment whenever feasible.

Departures from particular technical and scoping requirement of these standards by use of other designs and technologies are permitted where the alternative design and technology used is proven to provide equivalent or greater access to the usability of the facility.

v. The Facility Management Departments of the Region and the municipalities shall review and/or update the standards every 3-5 years in order to reflect technological advancements and new construction methods.

1. GENERAL. . . . . .Cont'd

1.1 General. . . . . .Cont'd

vi. Dimensions used in the document are metric. Nearest Imperial equivalent dimensions are in parenthesis.

vii. These Standards supersede the Ontario Building Code and all other Standards.

1.2 Scope and Application

1.2.1 General

The requirements of these standards shall be:

i. Mandatory for all newly constructed and retrofitted buildings owned, leased or funded (partially or fully) by the Regional and/or Municipal Government and shall be put forward to the municipalities within the Region for consideration.

ii. Recommended for all other buildings and private developments whether new or retrofitted.

iii. Compliance with these Standards is a condition upon which Site Plan approval and building permit shall be issued.

iv. In case of disputes and or non-compliance;

1. Site Plan to be submitted to the Planning Department for ruling (refer to Appendix A).

2. Building Standards to be submitted to the Building Commissioner for ruling (refer to Appendix B).

1. **GENERAL**. . . . . .Cont'd

1.2.2 Application Based on Building Use

Special application Section 6 provide additional requirements for parks, sports facilities, recreational facilities, drinking and eating facilities, assembly areas and theatres, cultural facilities, airports, train stations and travel points. When a building or facility contains more than one use covered by a special application section, each portion shall comply with the requirements for that section in addition to all other general provisions.

1.2.3 Work Areas/Employee's Designated Areas

All facilities shall be accessible for employees as well as patrons/users. All areas intended for use by employees shall be designed and constructed to comply with the standards.

1.2.4 Temporary Facilities

These standards cover temporary buildings or facilities as well as permanent facilities. Refer to 1.4 for definition.

1.2.5 Retrofitting, Additions and Building Alterations.

i. Each addition to an existing building or facility shall be regarded as an alteration. Each space or element added to the existing building or facility shall comply with the applicable provisions of these standards.

1. **GENERAL**. . . . . .Cont'd

1.2.5 Retrofitting, Additions and Building Alterations. . .Cont'd

ii. No alteration shall be undertaken which decreases or has the effect of decreasing accessibility or usability of a building or facility below the requirements for new construction at the time of alteration.

iii. If existing elements, spaces, or common areas are altered, then each such altered element, space, feature, or area shall comply with all applicable provisions. If the applicable provision for new construction requires that an element, space or common area be on an accessible route and the altered element, space or common area is not on an accessible route, this route will be altered to become accessible.

iv. If alterations of single elements, when considered together, amount to an alteration of a room or space in a building or facility, the entire space shall be made accessible.

v. No alteration of an existing element, space, or area of a building or facility shall impose a requirement for greater accessibility than that which would be required for new construction. For example, if the elevators and stairs in a building are being altered and the elevators are, in turn, being made accessible, then no accessibility modifications are required to the stairs connecting levels connected by the elevator. If stair modifications to correct unsafe conditions are required by other codes, the modifications shall be done in compliance with these guidelines unless technically infeasible.

1. **GENERAL**. . . . . .Cont'd

1.2.5 Retrofitting, Additions and Building Alterations. . .Cont'd

vi. If an escalator or stairs is planned or installed where none existed previously and major structural modifications are necessary for such installations, then a means of accessible vertical access shall be provided that complies with 3.3.2.

vii. Entrances: If a planned alteration entails alterations to an entrance, and the building has an accessible entrance, the entrance being altered is required to comply with 3.2 and all other applicable standards.

viii If the alteration work is limited solely to the electrical, mechanical, or plumbing system, or to hazardous material abatement, or automatic sprinkler retrofitting, and does not involve the alteration of any elements or spaces required to be accessible under these guidelines then these standards do not apply except sections 4.2.4.3, 4.4 and Section 7 shall apply.

ix. Alterations to an Area Containing a Primary Function: In addition to the requirements applicable to that specific space/area, an alteration that affects, or could affect the usability of or access to, an area containing a primary function shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving the altered area, are readily accessible to and usable by individuals with disabilities.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

October 7, 1994

A. (b.)

OFFICE OF THE CITY CLERK
OCT 11 1994
SH.2.
D.W.V.
F.Y.A.

Mr. J. Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Re: **Health and Social Services Committee Report 15-94, Item 5**

Subjoined, please find Item 5 of Report 15-94 of the Health and Social Services Committee which was approved by Regional Council at its meeting held on Tuesday, October 4, 1994.

5. Barrier Free Design Standards

a) That the Barrier Free Design Standards, developed by the Barrier Free Design Sub Committee, a subcommittee of the Regional Advisory Committee for Persons with Physical Disabilities, be adopted;

b) That the said standards be mandatory for all new construction, renovation and retrofitting of buildings owned or leased by the Region or funded partially or fully through Regional Capital Grants;

c) That the said standards be referred to all area municipalities for action.

It would be appreciated if the above recommendation and attached document could be forwarded to the appropriate Standing Committee of Council for action. Should you have any questions with respect to the document, please contact Hoda Kayal at (905) 546-4606.

Yours truly,

Mary L. Gallagher
Legislative Assistant

Encl.

119 King Street West, 15th Floor
P.O. Box 910
Hamilton, Ontario L8N 3V9

Tel. (905) 546-4154
Fax (905) 546-2546
TDD (905) 522-1787

2.

FINANCE AND ADMINISTRATION COMMITTEE
THURSDAY, 1994 OCTOBER 20TH

CONSENT AGENDA

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held Thursday, 1994 October 6th.

B. CITY CLERK

(i) Use of City Hall facilities - St. Joseph's Hospital Jingle Bell Run/Walk

(ii) Use of City Hall facilities - Hamilton Hallowe'en Run

(iii) Use of City Hall facilities - Settlement and Integration Services Organization Walkathon

(iv) Use of City Hall facilities - International Women's Week Display

C. TREASURER

(i) Financing of the Upset Limit of a Consultant to review the 1994-1995 Chedoke Ski Hill Operations

(ii) Additional Financing required for local improvements closed in 1991.

(iii) Funding - 1994 Servicing Expenditures related to Subdivions "Sheldon Estates".

D. CITY SOLICITOR

Debenture Projects Cost Amending By-law

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Thursday, 1994 October 6
9:30 o'clock a.m.
Room 233, City Hall

A.

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Alderman T. Anderson
Alderman V. Agro
Alderman D. Agostino

Regrets: Mayor Robert M. Morrow - City Business
Alderman D. Drury - City Business
Alderman T. Cooke - City Business
Alderman G. Copps - City Business

Also present: J. Pavelka, Chief Administrative Officer
S. Hollowell, Acting City Clerk
P. Hooker, Law Department
J. Hindson, Director of Information Systems
A. Ross, Treasurer
E. Bourns, Human Resources Centre
D. Vyce, Director of Property
P. Barkwell, Law Department
H. Kayal, Architectural Division, Property Department
L. King, Building Commissioner
Susan K. Reeder, Secretary

A G E N D A

1. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held Thursday, 1994 September 22, and approved these minutes as circulated.

B. ACTING DIRECTOR OF PUBLIC WORKS

(i) Purchase of one (1) 54,000 lb. GVW Chassis with Two-way Sander Body and Underslung Reversible Plow, Fleet Services

The Committee was in receipt of a report from the Acting Director of Public Works dated 1994 September 19, respecting the above noted matter and approved the following:

> That a purchase order be issued to Altruck Transportation, Hamilton, in the amount of $114,767.70, all applicable taxes included, for the purchase of One (1) 54,000 LB. GVW Chassis with Two-Way Sander Body and Underslung Reversible Plow for Fleet Services, being the lowest of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

(ii) **Purchase of one (1) Integral 2 WD Backhoe Loader, Fleet Services**

The Committee was in receipt of a report from the Acting Director of Public Works dated 1994 September 19, respecting the above noted matter and approved the following:

That a purchase order be issued to Regional Ford, Puslinch, in the amount of $64,630., all applicable taxes included, for the purchase of One (1) Backhoe Loader for Fleet Services, being the lowest of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

C. CITY CLERK

(i) **Display of New Hamilton Court House Model**

The Committee was in receipt of a report from the City Clerk dated 1994 September 26, respecting the above noted matter and approved the following:

That approval be given to the action taken by the City Clerk in authorizing the Project Development Branch of the Ontario Realty Corporation to use the second floor foyer (west end) from 1994 September 16 - 30 to display a model of the New Hamilton Court House.

(ii) **Display of Fountain Foundation**

The Committee was in receipt of a report from the City Clerk dated 1994 September 26, respecting the above noted matter and approved the following:

That approval be given to the action taken by the City Clerk in authorizing the Fountain Foundation to use the second floor foyer (west end) from 1994 October 3 - 24 to display a model of the Gore Park Fountain and related information.

(iii) **Use of Forecourt - Hamilton Aids Network**

The Committee was in receipt of a report from the City Clerk dated 1994 September 21, respecting the above noted matter and approved the following:

(a) That approval be given to the action taken by the City Clerk in authorizing the Hamilton Aids Network to use the forecourt on Friday, 1994 September 23, from 5:00 to 6:00 p.m. for a Rally to support drug funding for persons living with HIV and Aids; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

(iv) **Hamilton & District Council of Women Display**

The Committee was in receipt of a report from the City Clerk dated 1994 September 29, respecting the above noted matter and approved the following:

(a) That approval be given to the request of the Hamilton and District Council of Women to place a pictorial display on the second floor foyer at City Hall, for the week of 1994 October 17-21, during Womens' History Month;

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

D. TREASURER

(i) Funding - City's Share of "Bar-Brock Estates - Phase 3"

The Committee was in receipt of a report from the Treasurer dated 1994 September 27, respecting the above noted matter and approved the following:

That as referred to in Section 14 of the Thirteenth Report for 1994 of the Transport and Environment Committee, the City's share of "Bar-Brock Estates - Phase 3" Servicing, at a cost of $38,982., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

(ii) Funding - Additional Financing required for a Local Improvement Project - Brock Street

The Committee was in receipt of a report from the Treasurer dated 1994 October 3, respecting the above noted matter and approved the following:

That as referred to in Section 20 of the Thirteenth Report for 1994 of the Transport and Environment Committee, the additional financing required in the amount of $8,600. for the City's share of the local improvement for the construction of a combined sidewalk and curb on the south side of Brock Street from John Street North to approximately 24 m east of Hughson Street North be financed from the 1994 Capital Levy Account Centre No. CH 22002.

E. DIRECTOR OF PROPERTY - Boiler Replacement, Westmount/Mountain Arena (Processed by the Emergency Procedures)

The Committee was in receipt of a report from the Director of Property dated 1994 September 19, respecting the above noted matter and approved the following:

(a) That approval be given to issue a purchase order to Superior Boiler Works and Welding Ltd. in the amount of $128,854.75 for the replacement of the boilers at Westmount Recreation Centre and Mountain Arena, this being the lowest tender received, in accordance with specifications issued by the Purchasing Department; and,

(b) That contracts be entered into satisfactory to the City Solicitor; and,

(c) That as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

F. COMMISSIONER OF HUMAN RESOURCES - Appointments to and terminations from permanent positions with the Corporation of the City of Hamilton

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1994 September 29, respecting the above noted matter and approved the following:

That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1994 September 28, attached herewith and marked Appendix "A", be approved.

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items**

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1994 October 3, respecting the above noted matter.

The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Information Report - City Clerk - Night Time Taxi Stands - Downtown Core - Mayor's Task Force on Downtown Issues and Renewal - report dated 1994 September 20th

(b) Information Report - Commissioner of Human Resources - Human Resources Information System - report dated 1994 September 19th

(c) Minutes - French Sub-Committee - meetings held 1994 April 29 and 1994 May 27

(d) Correspondence - Federation of Canadian Municipalities - Request for resolutions for consideration at the 1994 December meeting of FCM, National Board of Directors.

(e) Correspondence - Regional Clerk's Office - Actions of Regional Council on its response to the Roomers and Boarders Task Force - letter dated 1994 September 26.

2. **INFORMATION SYSTEMS OPERATIONAL REVIEW STEERING COMMITTEE - Appointment of Consultant to perform the Operational Review of the Information Systems Department**

The Committee was in receipt of a report from the Information Systems Operational Review Steering Committee dated 1994 September 28, respecting the above noted matter.

The Committee approved the following:

(a) That the Mayor and City Clerk be authorized to execute agreements with Andersen Consulting of Etobicoke, and Compass Analysis of Kitchener to perform the Operational review of the Information Systems Department, based on their joint proposal dated 1994 June 30th; and,

(b) That purchase orders be issued to Andersen Consulting with an upset limit of $54,000. and to Compass Analysis with an upset limit of $45,000. to perform the Study (total cost $100,000.); and,

(c) That the Region be advised of their share ($50,000.) of the Study; and,

(d) That these recommendations be forwarded via Regional Council to the Administrative Services Committee for their information.

3. **TREASURER - Increased Capital Financing for the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit**

The Committee was in receipt of a report from the Treasurer dated 1994 October 3, respecting the above noted matter.

The Committee approved the following:

(a) That as referred to in Sections 1 and 2 of the Sixteenth Report for 1994 of the Parks and Recreation Committee, the Parkdale Arena Retrofit Project for $1,739,000., originally approved as part of the 1994 -2003 Capital Budget, be increased to $2,000,000., and the Inch Park Arena Retrofit Project for $1,739,000., originally approved as part of the 1994 - 2003 Capital Budget, be increased to $2,000,000.; and,

(b) That the total increased cost in the amount of $522,000. for these two projects be financed as follows: $227,000. from the 1994 Capital Contingency Reserve for Capital Projects, Account Centre No. CH 00203 (all the funds remaining within that account) and the balance of $295,000. through the issuance of debentures, with the additional funding to be split between the two projects; and,

(c) That the City Solicitor be authorized to prepare the appropriate by-laws for these two projects requiring debenture financing for approval of City Council.

4. **DIRECTOR OF PROPERTY**

(a) **Establishment of Parking Authority Lot at 290-296 Victoria Avenue North**

The Committee was in receipt of a report from the Director of Property dated 1994 September 29, respecting the above noted matter.

The Committee approved the following:

That Section 15 of the Thirteenth Report for 1994 of the Finance and Administration Committee, approved by City Council on 1994 August 30, authorizing the sale of 290 - 296 Victoria Avenue North to International Managed Health Care Inc., for the sum of $340,000. be deleted in its entirety, and replaced by the following in lieu thereof:

(a) That the City's property known as 290-296 Victoria Avenue North be placed under the administration of the Parking Authority of the City of Hamilton and that the sum of $340,000. be transferred from Account No. CF 5698 909345006 (Land Acquisition - General) and credited to Account No. CH 4X501 00102 (Sale of Land - Property Purchases). Subject lands are to be used for a municipal parking lot, and are more particularly described as all of Lots 4 and 5, part of Lot 6, Registered Plan 33, in the City of Hamilton, containing 1,449.7 square metres (.358 acre) more or less; and,

(b) That the Parking Authority of the City of Hamilton will clear and develop the site at their expense.

(b) <u>City purchase from the Region - Lots 8, 9, 10, 11, Plan 62M-658 - Dartnall Road, Hamilton</u>

The Committee was in receipt of a report from the Director of Property dated 1994 September 26, respecting the above noted matter.

The Committee approved the following:

(a) That an Option to Purchase Agreement, scheduled for closing on or before 1995 February 15, for the conveyance by the Regional Municipality of Hamilton-Wentworth of Lots 8 to 11 inclusive, and Block 12 (subject to an easement in favour of Trans Canada Pipeline Ltd.), Plan 62M-658 on Dartnall Road, to the City of Hamilton, for the nominal sum of $1., said parcel having a frontage of 151.4 metres (496.72 feet) more or less, along the easterly limit of Dartnall Road, by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) more or less, and containing an area of 1.536 hectares (3.795 acres), be approved and completed; and,

(b) That this Option to Purchase Agreement be subject to the following terms and conditions which form a part of this Agreement:

Schedule "A"

(i) The Region and the City acknowledge and agree that the land being sold by the Region to the City for the sum of $1. is a portion of a larger (50.9 acre) parcel (Parts 1 and 3, Plan 62R-4932) of land deeded by the City to the Region on 1981 December 1, by Instrument No. 326987 A. B. on the following terms:

(1) The Region shall acquire additional adjacent land (about 6.5 acres - which land has been acquired) and then offer for sale as non-residential development its adjacent land and the former City land (together, hereinafter referred to as the "site");

(2) The City and the Region will establish the value of their respective lands at an agreed upon date, namely 1978 June 30, based upon acquisition costs plus reasonable carrying charges. Based on these figures, a percentage ownership figure in the overall development (the site) will be determined;

(3) The costs of the City and the Region as of the said agreed upon date of 1978 June 30, are as follows:

	<u>Total Costs</u>	<u>Percentage</u>
City of Hamilton	$1,571,366.93	92.62%
Regional Municipality of Hamilton-Wentworth	$ 125,211.60	7.38%
Site Costs	$1,696,578.53	100%

(4) The City owned lands will then be transferred to the Region. (This was carried out by Deed 326987 A.B. referred to above). The Region will then undertake to service and develop and then sell the lands (the site) as an industrial subdivision;

(5) Upon the sale of these lands (the site), initially all servicing and development costs incurred in bringing this subdivision on stream will be paid. Once these costs are fully paid, then all further revenues will be split between the City and the Region, based on the above calculated percentage ownership formula;

(ii) The City accepts this Option to Purchase the subject land (Lots 8 to 11 inclusive and Block 12, Plan 62M-658) from the Region and both parties agree that the value of the subject land is $342,000. and that 7.38% of this land value may be deducted from the City's net sale proceeds of the balance of the site sales in order to re-imburse the Region for the portion of this property sale that would have been received by the Region had the subject land been sold to a third party;

(iii) The parties also agree that as the above financial terms apply to matters and adjustments between the two parties arising both before and after the completion of this particular lot sale to the City of Hamilton, that these financial terms acknowledged and agreed upon herein, shall not merge on closing of this particular lot sale, but shall continue in full force and effect between the parties;

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

5. **COMMISSIONER OF HUMAN RESOURCES - Reclassifications - Building Department**

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1994 September 15, respecting the above noted matter.

The Committee approved the following:

(a) That the following reclassifications in the Building Department be approved as follows:

Job Title	Summary of Duties	From	To
Mgr. of Administration	Monitor and review all procedures and policies related to the administration, operation and budget planning of the Dept. Make recommendations and co-ordinate implementation of same.	"M" $40,640. - $47,819.	"K" $47,412. - $55,811.

Administrative Asst II	Provide confidential secretarial services to the Building Commissioner. Perform as senior secretary in Building Department.	"P" $31,563. - $37,117.	"O" $34,001. - $39,962.

(b) That these reclassifications be retroactive to 1994 March 9, which is the date new duties were assumed as a result of the department's restructuring process.

7. OTHER BUSINESS

The Committee was in receipt of a few added recommendations as follows:

ADDED - DIRECTOR OF PROPERTY - Direct Purchase of Natural Gas

The Committee was in receipt of an added report from the Director of Property dated 1994 October 3, respecting the above noted matter.

The Committee approved the following:

(a) That the Corporation of the City of Hamilton accept the proposal submitted by Westcoast Gas Services Inc. for the supply of natural gas on a direct purchase basis to all City owned buildings at a price of $1.65/Gigajoule for the period 1994 November 1 - 1995 October 31 and at $1.74/Gigajoule for the period 1995 November 1 - 1996 October 31. This being the lowest of eight proposals received in accordance with specifications issued by the Purchasing Department; and,

(b) That contracts be entered into in a form satisfactory to the City Solicitor; and,

(c) That as time is of the essence, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

ADDED - DIRECTOR OF PROPERTY - Main & Norfolk Fire Station - Mechanical/Electrical Retrofit

The Committee was in receipt of an added report from the Director of Property dated 1994 October 4, respecting the above noted matter and approved the following:

That a purchase order be issued to Douglas Construction Co. Caledonia, in the amount of $62,595., including G.S.T., for the electrical/mechanical retrofit of the Main & Norfolk Fire Station, being the lowest of two tenders received in accordance with specifications issued by the Purchasing Department.

ADDED - CITY CLERK - Request for advertisement - The Hamilton and District Chamber of Commerce - 1995 Greater Hamilton Business Directory and Buyer's Guide

The Committee was in receipt of an added report from the City Clerk dated 1994 October 4, presenting the Committee with a request from the Hamilton and District Chamber of Commerce for the City to place an advertisement in the 1995 Greater Hamilton Business Directory and Buyer's Guide.

The Committee discussed this matter and approved the following:

(a) That the City purchase a 1/4 page space in the 1995 Greater Hamilton Business Directory and Buyer's Guide for a Message of Greeting and promotion for the City's 1996 Sesquicentennial Celebrations, at a cost not to exceed $700.; and,

(b) That funds for this purchase be derived from the City's Advertising Account Number CH 56302 12001.

ADDED - ACTING CITY CLERK - November Committee Meetings

The Acting City Clerk spoke to the Committee with respect to the holding of Standing Committee and City Council meetings for November in view of the November 14 Municipal Election.

The Committee approved the following:

That all Standing Committees and City Council meetings from 1994 October 31st to November 30th be cancelled.

6. PRIVATE AND CONFIDENTIAL AGENDA

The Committee moved into an In-Camera Session to discuss matters on its Private and Confidential Agenda.

The Committee then moved back into Regular Session and approved the following:

AA. CITY SOLICITOR AND ACTING DIRECTOR OF PUBLIC WORKS - City of Hamilton -ats- Curley; Ontario Court (General Division) Action No. 853/93

(a) That the City of Hamilton resolve Ontario Court (General Division) 853/93 by the payment to the Plaintiffs, Eunice and Bernard Curley, of the sum of $24,308.70 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 853/93 be dismissed without costs.

8. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1994 October 6

/dbm

Appendix "A" referred to in Section 10 of the **FIFTEENTH** Report of the Finance and Administration Committee for 1994.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Brimer	I	Events Electrical/ Electrical Technician (13)	Central Utilities Plant	New Position Council Approved June 28/94	$45,219.20	April 01/92
Ms. Donna Clegg	I	Administrative Assistant III (P)	Building	Replacing Ms. P. Harper - retired, Nov. 30/93	$31,563.48 to $37,117.60	Aug. 08/94
Mr. Larry Crocker	I	Sanitation Worker (D150)	Public Works	Replacing Mr. J. Weber - returned to former position, Aug. 15/94	$36,670.40	Aug. 31/94
Ms. Cathryn Edmonds	I	Collections Clerk (15)	Treasury	Additional Staff - approved by Council June 28, 1994	$33,644.52 to $38,230.92	Sept. 05/94
Mr. Robert Hayes	I	Senior Property Officer (24)	Real Estate	Replacing Ms. A. Cipriani - retired, Nov. 30/94	$43,233.84 to $49,130.64	Aug. 29/94
Mr. Erik Hess	E	Parks Development Superintendent (J)	Public Works	Replacing Mr. W. Pfund - promoted Jan. 03/94	$53,779.96 to $63,398.40	Sept. 19/94

Prepared September 28/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Lorn LeBlanc	I	Caretaker (6-D)	Property	Replacing Mr. T. Mountain - promoted, May 16/94	$27,839.24 to $30,258.80	Aug. 22/94
Mr. Craig Martin	E	Gardener II (D-14)	Public Works	Replacing Mr. S. Abbott - promoted, June 27/94	$36,052.64	Sept. 06/94
Mr. Lorne McArthur	E	Gardener II (D-14)	Public Works	Replacing Mr. J. Green - promoted, Aug. 22/94	$36,052.64	Sept. 06/94
Ms. Sheila Munday	I	Gardener I (D-17)	Public Works	Replacing Mr. P. D'Ambrosio - retired, Dec. 31/93	$36,385.44 to $42,005.60	July 11/94
Mr. Tullio Pianegonda	I	Signs Markings Specialist (11-C)	Traffic	Replacing Mr. A. Gaudet - retired, June 30/94	$28,956.20 to $31,989.88	Sept. 19/94
Mr. Miroslaw Rychlik	E	Gardener II (D-14)	Public Works	Replacing Mr. E. Carreiro - retired, Dec. 31/93	$36,052.64	Aug. 22/94

Prepared September 28/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Nello Violin	E	Gardener II (D-14)	Public Works	Replacing Mr. K. Riimaad - promoted, June 13/94	$36,052.64	Aug. 15/94
Mr. John Willard	I	Lead Hand/Truck Driver (D-17)	Public Works	Replacing Mr. J. Keenan - resigned, April 04/94	$37,146.72	Sept. 05/94

Prepared September 28/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Gunther Ahrens	Labourer	Public Works	Terminated	21 years, 2 months	Aug. 24/94
Mr. Jack Dickneon	Caretaker	Property	Terminated	10 months	Aug. 19/94
Ms. Gloria Garvin	Catering Clerk/Typist	Convention Centre	Resigned	5 years, 4 months	Aug. 16/94
Ms. Betty Goddard	Secretary-Manager Food/Beverage	Convention Centre	Retired	17 years, 1 month	Aug. 31/94
Ms. Patty Ann Smith	Accounting Clerk	Copps Coliseum	Terminated	7 years, 2 months	Sept. 16/94

Prepared September 28/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

CITY OF HAMILTON

- RECOMMENDATION -

B. (i)

DATE: 1994 October 3

OCT 6 1994

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **St. Joseph's Hospital Jingle Bell Run/Walk**

RECOMMENDATION:

(a) That approval be given to the request of St. Joseph's Hospital to use the City Hall forecourt and first floor washrooms on Sunday, 1994 November 27 from 10:30 a.m. - 12:30 p.m. for the St. Joseph's Jingle Bell Run/Walk.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in account CH55222-10034 - Use of City Facilities by Outside Groups, for Property Maintenance staff time associated with this event in the approximate amount of $90.

BACKGROUND:

The St. Joseph's Jingle Bell Run/Walk is an annual event sponsored by St. Joseph's Hospital, Hamilton for the United Way Burlington, Hamilton-Wentworth. The Run/Walk is 5 km long and will commence and finish at City Hall.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
B. Carter, City Clerk's Office

CITY OF HAMILTON

- RECOMMENDATION -

B. (ii)

DATE: 1994 October 4

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

OCT 6 1994

FROM: J. J. Schatz
City Clerk

SUBJECT: **Hamilton Hallowe'en Run**

RECOMMENDATION:

(a) That approval be given to the request of the organizers of the Hamilton Hallowe'en Run to use the City Hall forecourt and related equipment together with access to the first floor washrooms on Sunday, 1994 October 30 from 12:00 noon - 2:00 p.m. on the occasion of the Hamilton Hallowe'en Run.

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in account CH55222-10034 - Use of City Facilities by Outside Groups for Property Maintenance staff time associated with this event in the approximate amount of $90.

BACKGROUND:

The Hamilton Hallowe'en Run is an annual event consisting of a 10km run to raise funds for the YMCA and Ronald MacDonald House. The run starts at City Hall and ends at the YMCA on James Street South.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
B. Carter, City Clerk's Office

B. (iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 6

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: **Settlement and Integration Services Organization Walkathon**

RECOMMENDATION:

(a) That approval be given to the action taken by the City Clerk in granting the request of the Settlement and Integration Services Organization to use the City Hall forecourt and related equipment together with access to the first floor washrooms on Sunday, 1994 October 16 from 10:00 a.m. - 2:00 p.m. during a Walkathon for Rwanda.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in account CH55222-10034 - Use of City Facilities by Outside Groups for Property Maintenance staff time associated with this event in the approximate amount of $90.

2 ...

BACKGROUND:

Settlement and Integration Services Organization is a community based, non-profit agency which exists to serve the needs of immigrants and refugees in the Hamilton area.

In co-operation with the Red Cross and other community partners, Settlement and Integration Services Organization (SISO) are initiating a Walkathon to raise financial support as well as increase public awareness of the tragic situation in Rwanda. The Walkathon is to commence at City Hall and end at Gore Park.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
B. Carter, City Clerk's Office

B. (iv)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 7

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: International Women's Week Display

RECOMMENDATION:

a) That approval be given to the request of the Status of Women Sub-Committee to use the second floor foyer, east and west ends, from 1995 March 5 to 11 for a display of women's art during International Women's Week.

b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

International Women's Day (March 8) is recognized by the United Nations as an official holiday and is celebrated in a myriad of countries throughout the world. This year, McMaster University, numerous local galleries, the Broadway Cinema, the Women's Bookstop and other Hamilton groups are planning events and donating space for the celebration of women's art during the week of International Women's Day. To this end, the Status of Women Sub-Committee are requesting the use of the second floor foyer area for a similar display at City Hall in order to create a greater awareness of, and a harmony with, the community's events.

cc: Mayor's Office
Rob Swan, Manager, Property & Maintenance Division
Cheryl York, Arts Co-ordinator
Information Desk
Betty Carter, City Clerk's Office

CITY OF HAMILTON
- RECOMMENDATION -

C. (i)

DATE: 1994 October 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of the Upset Limit of a Consultant to review the 1994-1995 Chedoke Ski Hill Operations

RECOMMENDATION:

That the upset cost limit of $15,000 estimated to be the cost to hire a consultant to review the Chedoke Ski Hill 1994 - 1995 operations be financed from account CH 55406 24101 Consultants Fees.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are sufficient funds within the above noted account to cover the estimated cost of a consultant.

BACKGROUND:

The Parks and Recreation Committee at their meeting to be held 1994 October 18 will consider a report from the Chedoke Ski Hill Task Force. The report suggests that the ski hill continue its operations for the 1994-1995 season. At the same time a Consultant would be hired to observe the operations with a view to make recommendations on maximizing the overall cost and revenue generating efficiencies of the facility.

The Chedoke Ski Hill Task Force was created as a result of a recommendation from the Parks and Recreation Committee which was approved by City Council 1994 February 22. This recommendation resulted from the 1994 Current Budget deliberations whereby the operating and management procedures were considered for a possible reduction or total elimination of the program.

At the 1994 September 22 meeting of the Finance and Administration Committee, the Committee approved a request to broaden the permitted uses for funding set aside within the 1994 budget for restructuring consultants. Approval of the recommendation to this report would further broaden the use of these funds although still in keeping with the goal of supporting potential budget reductions.

c.c. Alderman M. Kiss
Alderman Geraldine Copps
Kevin Christenson, Secretary, Parks and Recreation Committee
R. W. Chrystian, Manager of Parks

C. (ii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 12

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Additional Financing Required for Local Improvements Closed in 1991

RECOMMENDATION:

That the additional City's share of financing required in the amount of $1,391.38 for additional financing be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The surplus/deficit from the 1991 City's share of Local Improvements, once all projects are closed out, is allocated back to the Reserve for Capital Projects, therefore any future overruns associated with 1991 Local Improvements are financed from that Reserve.

BACKGROUND:

The construction of an independent concrete sidewalk constructed on the south side of Limeridge Road between Upper Sherman Avenue and the Hydro Right-of-Way was completed in 1991. The Local Improvement was advertised in the Hamilton Spectator as required by the Act, however the notice to each property owner was inadvertently not sent, therefore there was no legal obligation on them to pay. In 1994 the City sent notices to property owners asking if they would pay for the work even though there is no legal requirement to do so. The property owners agreed to pay with certain conditions and the City is picking up the costs incurred beyond what the owners will pay.

This item is being considered by the Transport and Environment Committee on 1994 October 31. Further details of this local improvement project closed in 1991 for rating in 1992 are outlined in the attached report from Mr. C. Firth-Eagland, Acting Director of Public Works, dated 1994 September 29.

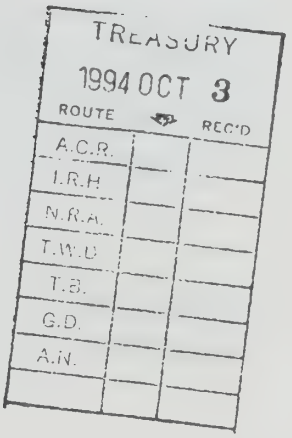
CK/ck

Attach

.cc C. Firth-Eagland, Acting Director of Public Works
K. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON

- RECOMMENDATION -



DATE: 1994 September 29

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. C. Firth-Eagland
Acting Director of Public Works

SUBJECT: Financing Local Improvement Works,
Limeridge Road, South Side
Between Upper Sherman Avenue and the Hydro Right-of-Way

C Firth-Eagland

RECOMMENDATION:

1. That the Finance and Administration Committee be requested to recommend a source of funds to finance the construction of an independent concrete sidewalk constructed on the south side of Limeridge Road between Upper Sherman Avenue and the Hydro Right-of-Way being $1,391.38.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The actual gross cost to be financed is $35,566.91 (Original Rateable Owners' Share - $31,438.04, City's Share $4,128.87). Municipal Non-Profit Housing have agreed to pay their

share provided it can be paid in fifteen annual instalments of $2,727.51. Also, the Jehovah's Witness Congregation have agreed to pay their share provided they can pay it in three instalments on September 1, 1994, January 15, 1995 and May 15, 1995. The first instalment of $1,128.50 has been received by this Department. Following is a breakdown showing the amount to be financed:

	Estimates		Actual
Owners' Share	34,173.82	Rateable Costs	31,438.04
City's Share	9,126.18	100% City Costs	4,128.07
	43,300.00		35,566.91

	Recovery of Costs	Excl. Interest
Mun. Non-Profit - 15 annual installments of $2,27.51	40,912.65	21,663.85
Jehovah's Witnesses - 3 instalments(9/1/94, 1/15/95 & 5/15/95) of $1,128.50	3,385.50	3,385.50
	44,298.15	25,049.35

Amount to be financed $35,566.91-(25,049.35+9,126.18) =$1,391.38

BACKGROUND:

On March 26, 1991, Council in adopting Item 5 of the 6th Report of the Transport and Environment Committee, approved the following:

"(a) That the Transport and Environment Committee recommend to City Council that the construction of an independent concrete sidewalk on the south side of Limeridge Road between Upper Sherman Avenue and the Hydro Right-of-Way be proceeded with as a Local Improvement pursuant to Section 12 of the Local Improvement Act, at an estimated gross cost of $43,300.00 as provided for in the 1991 portion of the 1991-1995 Capital Budget, City's Share $9,126.18 and Owners' Share $34,173.82; and,

(b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital Project; and,

(c) That the Acting Commissioner of Engineering be authorized and directed to construct these works on behalf of the City of Hamilton once all the necessary approvals have been received; and,

(d) That the City Clerk and City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works."

The Local Improvement project was advertised in the Hamilton Spectator on April 11, 1991 as required by the Act. However, the notice to each property owner was not sent by the City Treasurer as required by the Act since the Region inadvertently did not advise the Treasurer regarding the publication of the notice.

We have been advised by the Law Department that as the work was carried out without prior notice having been given to the adjacent owners, that there is no legal obligation on them to pay and the City is responsible for the total cost of the work. This Department sent a letter (copy attached) to each owner asking if they would pay for the work even though there is no legal requirement to do so. Both the Municipal Non-Profit Housing Corporation and the Jehovah's Witness Congregation have agreed to pay their share with certain conditions.

RPM/amp
Attach

cc: A. Ross
City Treasurer
Attention: W. Gilchrist

P. Noe Johnson
City Solicitor
Attention: D. Powers

M. Mascarenhas
Housing Department

C.(iii)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing the City's Share of Services Related to Subdivisions

RECOMMENDATION:

That the City's share of "Sheldon Estates" Servicing, at a cost of $92,528.00, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed for all 1994 projects related to subdivision expenditures, including this recommendation, is $332,556.54. The 1994 Capital Budget includes a provision of $1,236,000 for the City's share of subdivision expenditures in 1994.

BACKGROUND:

The Transport and Environment Committee will be considering this report at their meeting of 1994, October 17. The details of the project cost is outlined in the letter of Mr. E.M. Gill, Senior Director, Roads Department, dated 1994, October 13.

CK:ck
Attach

c.c. E.M. Gill, Senior Director, Roads Department
K. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1994 October 13
S719-71, M.J. Inrig

OCT 17 1994

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E.M. Gill, P.Eng.
Senior Director
Regional Roads Department

SUBJECT: **1994 Servicing Expenditures Related to Subdivisions (R-94-87)**

RECOMMENDATION:

i) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" SHELDON ESTATES ", Hamilton

City's Share **$ 92,528** Owner's Share - **$ 228,450**

ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of " **Sheldon Estates** ", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor.

iii) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered.

iv) That in the event the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for pre-servicing.

v) That the City's share of services in " **Sheldon Estates** ", Hamilton ($ 92,528), be approved and that the Finance and Administration Committee recommend the source of funding for this project.

E.M. Gill, P. Eng.

Cont'd....

1994 Servicing Expenditures Related to Subdivisions (R-94-87)

Cont'd...

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The total estimated cost of the City's share to be approved at this time for " Sheldon Estates " is $ 92,528.

A portion of the City's share ($ 8,830) is associated with extra width asphalt required on Chesley Street. Current City cost sharing policies requires the City to pay for the portion of a roadway which is beyond the standard width of an 8.5 metre local road. The remainder of the City's share ($ 83,698) is associated with above and below ground works on Chesley Street adjacent to City parklands and fencing required along the rear of Lots 8 to 12 (inclusive) adjacent to the park. This portion of the City's share is based on a percentage of the total serviceng cost for Chesley Street according to the frontage of the parklands as a percentage of the total frontage on Chesley Street. Both portions of the City's share are non-recoverable in the future.

BACKGROUND:

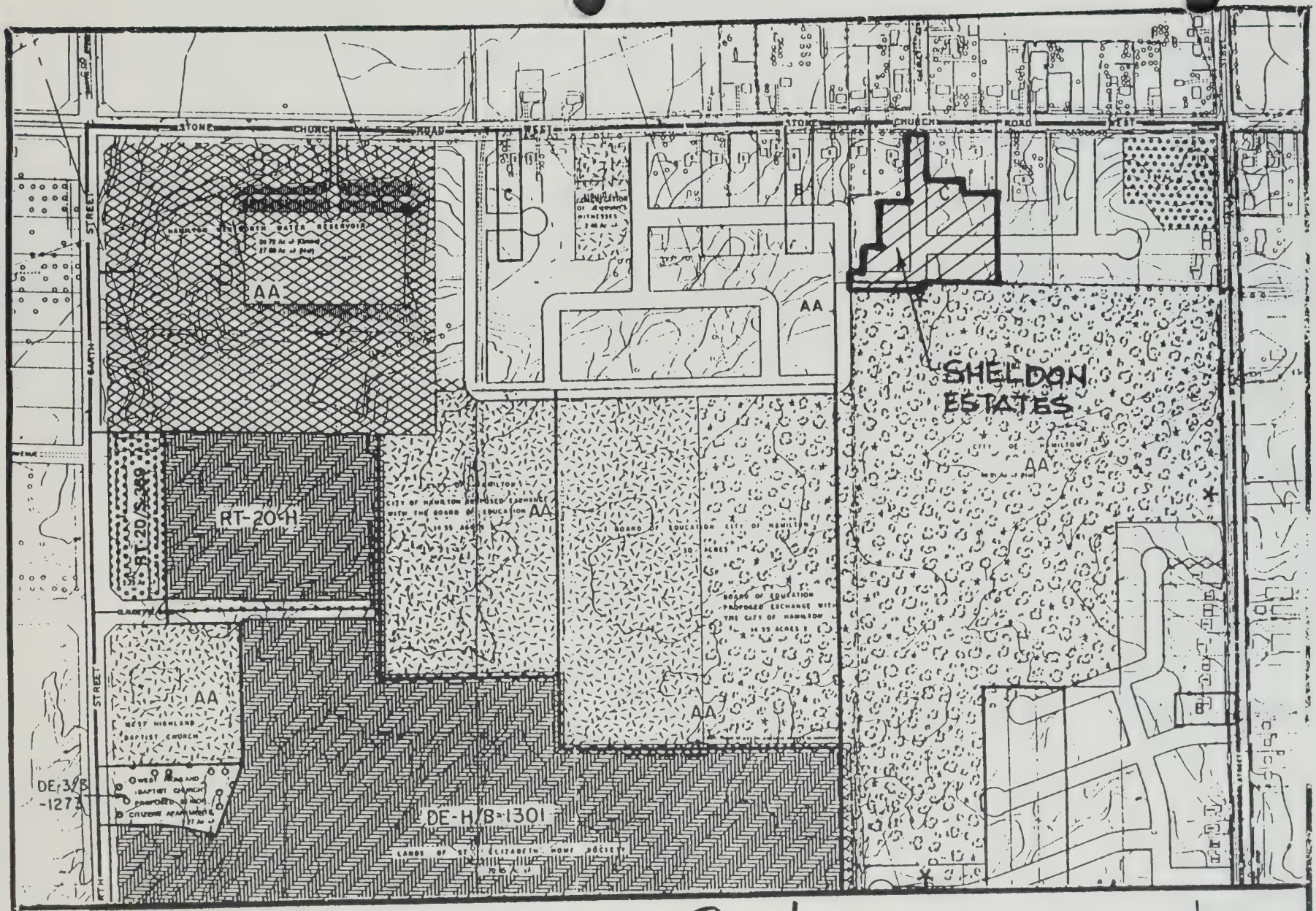
On 1993 May 25, City Council in adopting Item 9 of the Planning and Development Committee Report 10-93 approved the proposed draft plan for " Sheldon Estates " subdivision under the condition that the Owner (Britannia Decorating and Painting Limited) enter into a subdivision agreement with the City of Hamilton.

The development of " Sheldon Estates " will result in the creation of eighteen (18) single family residential lots and the extension of Chesley Street south of Stone Church Road West. An estimate of costs has been prepared and it has been determined that there will a City share for this development of $ 92,528 as explained in the Financial Section of this report.

The lands of " Sheldon Estates " are located on the south side of Stone Church Road West, east of Garth Street in the Sheldon Planning Neighbourhood.

/MJI:

cc: A. C. Ross, City Treasury Department, Att: N. Adhya
cc: Councillor D. Ross, Chairman, Finance and Administration Committee
cc: S. Reeder, Secretary, Finance and Administration Committee



KEY PLAN
N.T.S.

SHELDON

APPROVED PLAN

1994 SUBDIVISION EXPENDITURE SUMMARY

Name of: – SUBDIVISION – DEVELOPER – CONSULTANT – SURVEYOR	# OF LOTS and LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	CITY'S SHARE OF EXPENDITURES: 0.3 METRE RESERVE COSTS	CITY'S SHARE OF EXPENDITURES: NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
-"SHELDON ESTATES" -BRITANNIA DECORATING AND PAINTING LIMITED -YOUNGS CONSULTANTS A.T. MCLAREN LIMITED FILE NO. S719-71	18 LOTS HAMILTON	COUNCIL 93 MAY 25 P&D 10-93 ITEM NO. 9	Catch Basins & Connections	$0.00	$2,841.00			
			Curbs & Sidewalks	$0.00	$10,308.00			
			Finished Roads	$0.00	$20,466.00			
			Sewers & Watermains	$0.00	$53,663.00			
			Seeding/Sodding	$0.00	$1,721.00			
			Street Lighting	$0.00	$1,478.00			
			Dead End Barricades	$0.00	$474.00			
			Fencing	$0.00	$1,577.00	$92,528.00	$228,450.00	$320,978.00
TOTALS:				$0.00	$92,528.00	$92,528.00	$228,450.00	$320,978.00

SCHEDULE "A"

* OVERSIZING EXPENDITURES are Non-Recoverable
* 0.3 METRE RESERVE EXPENDITURES are Fully Recoverable

D.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 14

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **Debenture Projects Cost Amending By-law**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

"P. Noé Johnson" per: A.H.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On November 30, 1993, City Council in adopting Item 23 of the 22nd Report of the Finance and Administration Committee authorized the City Solicitor to prepare a By-law to amend the total authorized cost of several debentured projects.

LEF:as

c.c. A. Ross, Treasurer
Attention: G. Keith

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend:

TOTAL COSTS OF VARIOUS DEBENTURED PROJECTS

AND WHEREAS on November 30, 1993, the Council of The Corporation of the City of Hamilton, in adopting Item 23 of the 22nd Report of the Finance and Administration Committee, authorized revisions to the authorized cost of various capital projects;

AND WHEREAS some of the capital projects which were amended were financed by Debentures issued in previous years;

AND WHEREAS this By-law was authorized by Item 23 of the 22nd Report of the Finance and Administration Committee for 1993;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

The total authorized cost for the projects shown on column 1 of Schedule "A" attached to and forming part of this By-law are changed from the amounts shown in column 2 to the amounts shown in column 3 of Schedule "A".

PASSED this day of 1994.

CITY CLERK MAYOR

(1993) 22 R.F.A.C. 23 November 30

SCHEDULE "A" TO BY-LAW NO. 94-___

	Project	AUTHORIZED COST From	To	BY-LAW NO.
1)	Traffic Operations Centre	$6,180,000	$6,109,970	89-40
2)	West Mountain Twin Pad Arena	$9,545,000	$9,874,260	93-229
3)	Fire Station No. 2/Stonechurch Rd.	$1,400,000	$1,412,810	89-302
4)	Sackville Hill Seniors' Recreation Centre	$3,694,000	$3,766,520	93-090
5)	Staff Facilities Building/Gage Park	$ 460,000	$ 464,130	90-268
6)	Track & Field House/Mohawk Sports Park	$ 440,000	$ 442,630	90-267

E

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 13th

REPORT TO: Alderman D. Ross, Chairperson & Members
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Minutes - Hamilton Status of Women Sub-Committee - meeting held 1994 September 12.

(b) Minutes - Keep Hamilton Clean Committee - meeting held 1994 September 7

(c) Correspondence - Director of Information Systems - Bell Canada Payphones

(d) Information Report - Chief Administrative Officer - Safe City Sub-Committee - report dated 1994 October 12th

(e) Information Report - Chief Administrative Officer - Insufficient Funding in Capital Appropriations - report dated 1994 October 6.

(f) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 September 30th

(g) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1994 September 30th

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

CITY OF HAMILTON

- RECOMMENDATION -

3. (a.)

DATE: 1994 October 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: A) City sale of Lots 8, 9, 10 and 11 plus Block 12, Plan 62M-658, Dartnall Road to The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.)

B) Proposed Funding Agreement between City and SPCA regarding use & advance of Infra Funds

RECOMMENDATION:

1) That the Offer to Purchase executed by the officials of The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) for conveyance by the City of Hamilton of Lots 8, 9, 10 and 11 plus Block 12 (subject to an easement in favour of Trans Canada PipeLine Limited) Plan 62M-658, having a frontage of 151.4 metres (496.72 feet) along the eastern limit of Dartnall Road by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) having an area of 1.536 hectares (3.795 acres) for the sum of $1.00 be approved and completed.

2) That the Offer to Purchase shall include the following terms and conditions:

   a) The Purchaser agrees that the herein transaction is conditional upon the successful completion of the purchase of the herein described land by the Vendor, The Corporation of the City of Hamilton, from The Regional Municipality of Hamilton-Wentworth; and,

   b) In consideration for the grant of the land herein described to the Purchaser, in addition to the payment of $1.00 to the Vendor, the Purchaser covenants and agrees to and with the Vendor;

(i) That the land shall be used solely for a non profit animal shelter facility operated by the Purchaser;

(ii) That if the land, in the opinion of the City, is used other than as stated in the preceding provision, or contrary to the furtherance of the Purchaser's Objects set out in its Letters Patent as of the 6th day of June, 1938;

(iii) That if the Purchaser, for whatever reason, ceases to provide upon the said land, animal control and animal welfare services to the City;

(iv) That the Purchaser shall commence construction of the said facility as provided for in the approved site plan(s) and the approved detailed plans, upon the hereinbefore described land, by not later than March 15th, 1995;

(v) That the Purchaser shall complete the said construction not later than January 31, 1996;

In the event that the Purchaser does not comply with its covenants and agreements to and with the Vendor set out above and in this agreement (including, without limiting the generality of the foregoing, the approved site plan(s) and the approved detailed plan) within the required time limits set out above, the Purchaser covenants and agrees that the Purchaser shall, if required by the Vendor, immediately or by a date specified by the Vendor, sell, reconvey or transfer the subject land to The Corporation of the City of Hamilton, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever, for the sale price herein [without interest and without any compensation for any alterations, improvements or installations to, in or upon the subject land --except the amount of the SPCA's contribution to the construction of the facility agreed upon and fixed at $1.358 million, (which figure shall not be adjusted with interest)] and less:

c) This agreement is also conditional upon:

i) the Purchaser entering into an Agreement with The Corporation of the City of Hamilton providing for the terms and conditions under which Infrastructure funding is intended to be provided towards the construction cost of the Purchaser's facility to be built and under which the expenditure of monies of the Federal-Provincial Infrastructure Programme shall proceed; and,

ii) the Purchaser obtaining a building permit and all other approvals required of it by The Corporation of the City of Hamilton.

d) The parties acknowledge and agree that for purposes of the purchaser's calculation of the Land Transfer Tax payable to the Province of Ontario that the City's Transfer/Deed of Land to the Purchaser shall record the fair market value of land as $342,000 and that the Purchaser shall pay Land Transfer Tax on that sum;

e) The Purchaser also agrees that it shall complete a sale at fair market value of that land described as part of lot 32, Broken Front Concession, township of Saltfleet (now City of Hamilton), Regional Municipality of Hamilton-Wentworth, municipally known as 658 Parkdale Avenue North, Hamilton to a third party purchaser within twelve (12) calendar months of the substantial completion of construction of its new facility on the Dartnall Road land, (as defined in the Infrastructure Funding Agreement to be entered into between the S.P.C.A. and the City); and

f) The Purchaser shall direct that the sale price received, in respect of the sale of 658 Parkdale be paid to The Corporation of the City of Hamilton forthwith upon its receiving the sale money;

3) That The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) be exempt from the City policy of having to provide a security deposit for its site plan agreement and that the City accept, in its place, the SPCA's agreement that default under the site plan agreement be treated as default under its Infra funding Agreement with the City.

4) That the Mayor and Clerk be authorized to execute an Infrastructure Funding agreement with the SPCA providing the terms and conditions under which Infrastructure funding is intended to be provided towards the construction cost of the Purchaser's facility to be built and under which the expenditure of monies of the Federal-Provincial Infrastructure Programme shall proceed. Such agreement shall also provide that when the Society submits its claim, the City will advance the funding, pending reimbursement under the Infra program, to enable the Society to maintain its cash flow. The funding agreement shall be in a form satisfactory to the City Treasurer and the City Solicitor and shall also include the following matters:

i) The SPCA shall assume all costs of the project not covered by the Infra monies; and,

ii) The SPCA shall hire its architect, its contractor and other advisers on such terms and upon such contract form and terms as the SPCA and its advisers consider appropriate, including CCDC contract forms, prequalification procedures, performance, labour and material bonds, subject to the following exceptions: all contracts shall be subject to the City's fair wage policy; the City's local preference policy and all contracts shall be subject to requirements of the Canada / Ontario Infrastructure Program.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
On March 10, 1994 Council approved an application for funding of the construction of the SPCA's new offices under the Canada/Ontario Infrastructure Program, which application was approved on the following financial basis;

Canada contribution	$1.6 million
Ontario contribution	$1.6 million
SPCA contribution	$1.358 million
City contribution	$0.242 million
Total, Gross Construction cost	$4.8 million

In addition to the said $242,000 contribution from the City, under the above recommendation, the City is also:

a) providing advance funding to the SPCA, pending reimbursement from the Infra Program, to enable the SPCA to maintain the SPCA's cash flow. The Treasury Department considers that the impact on interest is minimal as the turnaround time will be brief; and,

b) conveying for $1.00 a new site on Dartnall Road having a fair market value of $342,000. In return, the Society is to pay to the City the sale proceeds it receives on the sale of its old office location at 658 Parkdale Ave. North. The funding agreement referred to above will also require a further agreement between the City and the Society regarding compensation to the City for that value of the City's Dartnall Road property in excess of the proceeds received by the City from the sale of the Parkdale property.

BACKGROUND:

In adopting Item 14 of the 15th Report of the Finance and Administration Committee, City Council on October 11, 1994 approved the Purchase of the subject land from the Region in order to implement the S.P.C.A. project as part of the City's Infrastructure program.

The City is now conveying the said land to the S.P.C.A. subject to the terms recommended above including an Infra funding agreement between the City and the SPCA, to enable the project to commence.

MCJW/hew

c.c. Joe Pavelka, Chief Administrative Officer
Allan C. Ross, City Treasurer,
P. Noé Johnson, City Solicitor

3.(b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 13

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: City Hall Cafeteria - Sale of Nevada Tickets to Aid Charitable Fundraising

RECOMMENDATION:

That consideration be given to Carmen's Catering Ltd. to sell Nevada tickets to support the fundraising efforts of the YMCA.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The YMCA has asked Carmen's Catering Ltd. if it can use the City Hall cafeteria as an outlet to sell Nevada tickets, to assist in its fundraising efforts.

Carmen's would like to assist the YMCA in this worthwhile fundraising venture.

The lease of the City Hall cafeteria to Carmen's is completely silent on an issue such as the above. The lease neither allows or prohibits the sale of Nevada tickets.

Since some parties may deem the sale of Nevada tickets in City Hall to be inappropriate, it was felt that the request should be considered by Committee and Council.

The sale of Nevada tickets at this location could only take place once all approvals (licensing etc.) are in place.

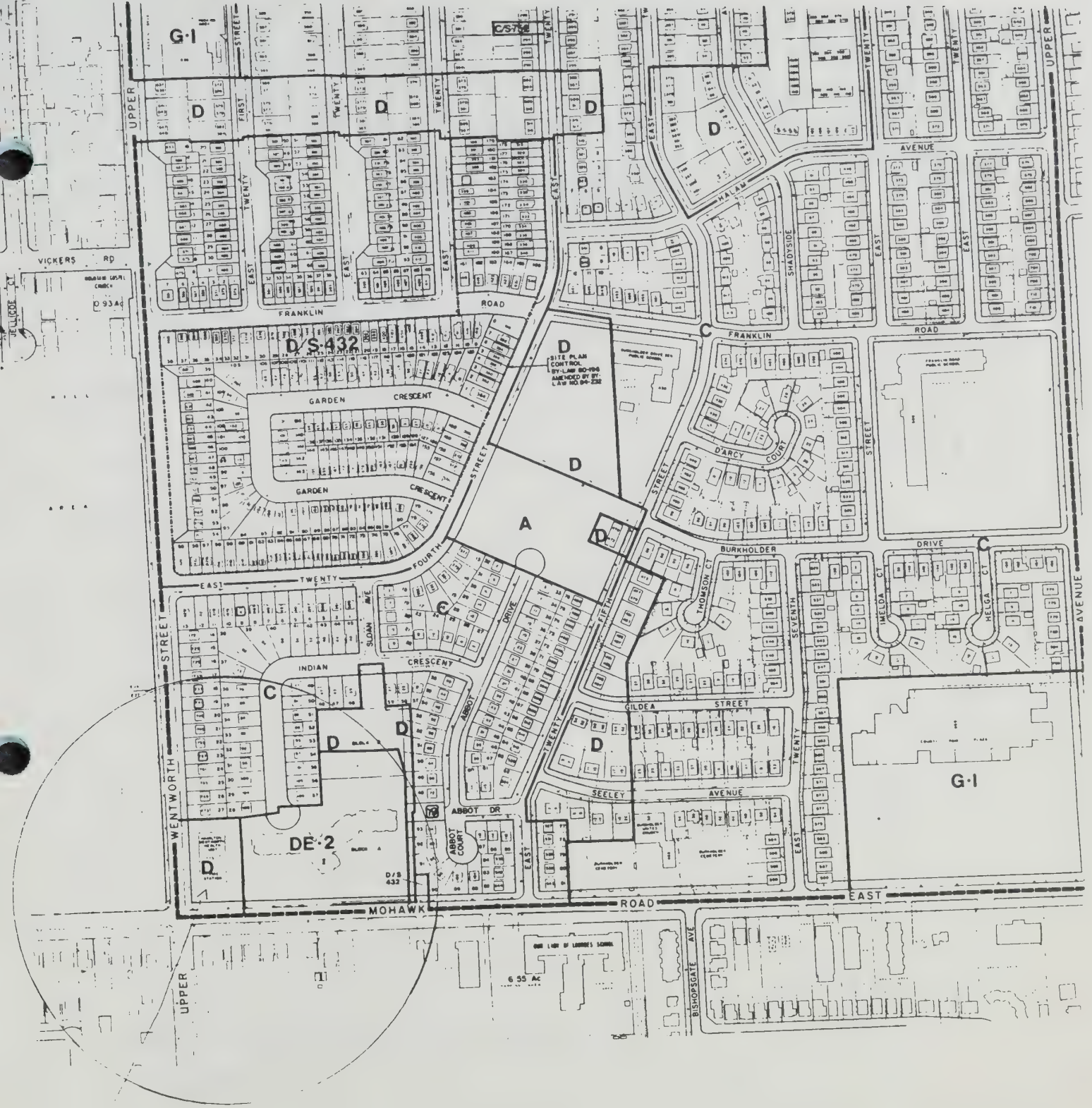
In addition, the roof in the former Health Department section needs to be replaced at a cost of $60,000. It does not make economic sense to spend the money on fixing the roof as there is no hope in getting a decent rent for this property in order to cover our operating costs, taxes and recovery of any capital outlay.

If Junior Achievement of Hamilton-Wentworth is still willing to locate at the Kenilworth Avenue Composite Building our department will endeavour to accommodate them.

MCJW/nw

c.c. Joe Pavelka, Chief Administrative Officer

R. Swan, Manager, Building Operations and Maintenance Division



68	42	111
65	18	98
16	130	96

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department

4.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 6

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Charlene Touzel, Secretary
French Sub-Committee

SUBJECT: Change in Composition of French Sub-Committee

RECOMMENDATION:

That effective 1995 January, the composition of the French Sub-Committee be changed from its existing structure to the following:

One representative from the following organizations:

- L'Hôtel de Ville (City Council)
- L'Association canadienne-française de l'Ontario
- Le Club Richelieu Hamilton
- La Paroisse française
- Les Chevaliers de Colomb
- Centre de santé et services communautaires
- Centre français Hamilton Inc.
- Centre d'accueil francophone de Hamilton
- École secondaire Georges-P-Vanier (un-e représentant-e du Conseil des étudiant-e-s)
- Les francophiles de Hamilton

Touzel.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: n/a

BACKGROUND:

The French Sub-Committee felt it necessary to review its mandate and made the above-noted recommendation at its meeting held 1994 September 30 following discussions with representatives from the francophone community.

The new composition would be more representative of the francophone community in the City of Hamilton and would enhance existing networking among these organizations. These organizations have a hands on working relationship with the francophone community and could bring issues directly affecting the francophone population to the agenda.

cc All Members, French Sub-Committee

4.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 17

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Recommendation of the French Sub-Committee to change its composition

RECOMMENDATION:

That the recommendation of the French Sub-Committee to change its composition for the next term of office, be received and referred to the Task Force to review the Sub-Committee system, for consideration.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Task Force to review the Sub-Committee System has been meeting to review all of the present Sub-Committees. It would be appropriate for this Task Force to also consider the above-noted recommendation from the French Sub-Committee during its deliberations.

OCT 11 1994

CITY COUNCIL
HAMILTON, CANADA

Alderman Dave Wilson

71 MAIN STREET WEST L8N 3T4 • (905) 546-4512 • RES. (905) 544-3384 - WARD 4

1994 October 7

5.

Don Ross, Chairman,
Finance and Administration Committee

Dear Don:

I have been in contact with Mr. R. J. Smith, Chairman of the Emergency Helicopter Committee.

The Committee is looking into raising funds for the purchase of the Emergency Services Helicopter. I am enclosing a copy of a letter that provides a considerable amount of information and I would ask for Committee endorsation of this very worthwhile project. As you can see their Advisory panel includes, Mayor R. Morrow, Chief R. Middaugh and Chief G. Baker.

I feel the endorsation of both Committee and Council is critical to their success.

Yours truly,

Dave

DAVE WILSON, ALDERMAN,
WARD 4

DW:tb

Attch

255 WEST AVE. N.
HAMILTON, ONTARIO
L8L 5C8

Phone: 1-905-527-6649
Fax: 1-905-544-5785



CODE BLUE

ADVISORY PANEL

His Worship Mayor
Robert M. Morrow
City of Hamilton
71 Main St. W.
Hamilton, Ontario

Chief Robert Middaugh
H-W Regional Police
155 King William St
Hamilton, Ontario

Chief George Baker
Hamilton Fire Department
55 King William St
Hamilton, Ontario

Chief James D. Hancock
Kitchener Fire Department
151 Highland Rd W
Kitchener, Ontario

C.J. (Craig) Jeffrey
Senior Branch Consultant
C.I.B.C
1 St. Clair Ave.
Toronto, Ontario

MEDICAL PANEL

Dr. Frank Baillie
Professor of Surgery
McMaster University

Dr. Mark Walton
Paediatric Trauma Director
McMaster University

Dr. Mark Preece
Director, CCTU Programme
Hamilton-Wentworth Region
Hamilton, Ontario

September 22, 1994

Dear President:

The Emergency Helicopter Committee was officially formed in March 1993, received a charitable licence October 1993, moved into its new office (donated by Social Planning and Research Council under the auspices of the Rotary Club) and began raising funds to purchase an Emergency Services Helicopter.

The need for a search and rescue helicopter service has been identified by information in the media, meetings with emergency services personnel and ad hoc studies of existing coverage. We have noticed that in the past three weeks, there were at least six incidents whereby our helicopter services could possibly have been utilized. This is within the Hamilton reporting region. We have no input as to other areas.

We have learned that:

1) There is only one dedicated helicopter ambulance located at Toronto Island Airport. This serves an area from Barrie to Long Point, Woodstock to Niagara and to Coburg. The next closest is in Sudbury. These are not equipped as rescue helicopters.

2) Canadian Forces Base Trenton provides Air/Sea search and rescue when available but can take up to 85 minutes to arrive.

Input from the various emergency services strongly indicate that any one service would have difficulty in obtaining and maintaining their own emergency helicopter. The emergency services helicopter will be made available to all existing emergency services, Police, Fire, Ambulance and hospitals as a community resource. It is not intended to replace existing services but to supplement them.

Service clubs and Fraternal organizations have a proud tradition of "Service to the Community" at all times. With your support and the support of your members I am sure we can have an Emergency Helicopter Service available in the near future.

Sincere thanks for any financial support you extend to the Emergency Helicopter Committee, and special thanks to those who have already made a donation following our last letter.

Yours sincerely

R.J. Smith
Chairman

CC: P. Hansen, Central West Emergency Helicopter Committee

Charitable Licence #0960097-59

OFFICERS:

Chair: R. J. Smith; Co-Chair: P. Hansen; Secretary: Judith Smith; Treasurer: Jack Price

Committee: Dr. E. McKinley, Dr. F. Baillie, Dr. M. Walton, Dr. M. Preece, J. Archibald, M. Wasniewski, E. Williams, J. Mason, R. McIvor, C. Jeffrey, E. Smith, E. MacInnis, J. Fitzgerald, R. Gardner, M. McLaren, D. Radtke, A. Haines, M. Hurley, B. Hoddon, B. Armstrong, P. Purrious, L. Wilson, J. Mitchell, J. Hancock, G. Baker, R. Jeffries, D. van der Veer, G. Mooney

6.(a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Write off of outstanding business taxes

RECOMMENDATION:

That outstanding business taxes in the amount of $400,406.61 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account CH53401 24106, Tax Write-offs.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

This report summarizes outstanding business taxes in the amount of $400,406.61 which are deemed to be uncollectible and are being recommended for write-off. The accounts are classified as accounts which have been assigned to a collection agency; accounts which are bankrupt and administered by a Public Trustee; and accounts incorrectly assessed or out of business where the deadline for appeal has expired. For your information this is the second write-off presented by the Treasury Department for approval in 1994 bringing the total 1994 write-offs to date to $738,929.57. In 1993, City Council approved a total of $1,160,403.60 in business tax write-offs.

A copy of the schedule listing the details of these Write-Offs is available to Members of Council on a Private and Confidential basis from the Committee Secretary.

7.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 11

REPORT TO: Mr. S. Reeder
Secretary, Finance & Administration Committee

FROM: Mr. C. Firth-Eagland
Acting Director
Department of Public Works

SUBJECT: **Quality of Wheelchair Tires**

RECOMMENDATION:

That the Director of Public Works be authorized to approach wheelchair tire manufacturers to recommend that the quality of wheelchair tires be upgraded to be more sidewalk worthy.

C Firth-Eagland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

At the September 22, 1994 meeting of the Finance and Administration Committee, staff recommended that a resolution be put forth to put wheelchair tire manufacturers on notice that as presently produced, wheelchair tires are inadequate for extensive use on sidewalks and they should be upgraded to be sidewalk worthy. Another alternative would be to contact orthopaedic services and suppliers in Hamilton to recommend that they bring to the attention of wheelchair users that puncture proof inserts for tires are available for those who intend to do extensive travel on sidewalks.

Inquiries were made of local orthopaedic service and suppliers which provided the City with the following information:

1. Although these tires are said by the manufacturers to be "sidewalk worthy", flat tires caused by nails or glass are a common place occurrence.

2. One supplier has even experienced situations where school children have had flat tires on their wheelchairs due to staples or thumbtacks on the floor of the school room.

3. These tires are made from a grey rubber which has little or no carbon content. The tires are grey so that they do not mark floors when they are used indoors. The result of the removal of the carbon from the rubber is that these tires are not as durable as black rubber tires would be.

4. In normal use these tires have a life expectancy generally estimated at one year but variously estimated at between six months and two years. The tires are more susceptible to punctures when they are nearing the end of their tread life.

5. There are available to users of power wheelchairs, at a cost of approximately $80.00, puncture proof inserts to be used inside the tires.

It is, therefore, the opinion of this department that the tires generally used on power wheelchairs are not fit for use on public sidewalks and that the manufacturers of these tires be approached to improve the reliability and longevity of these tires.

RS/ap

cc Mr. J. G. Pavelka, P.Eng.
Chief Administrative Officer

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 13

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Request from the Hamilton Gallery of Distinction for the City to purchase a table of 10 for the 1994 Induction Ceremonies and Dinner

RECOMMENDATION:

That consideration be given to the request of the Hamilton Gallery of Distinction for the City to purchase a table of 10 at a cost of $600. for the 1994 Induction Ceremonies and Dinner to be held on Wednesday, 1994 November 9th at the Hamilton Convention Centre.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding for this expenditure can be financed from the Unclassified Account No. CH55113 24201

BACKGROUND:

Since 1990, the City has supported the Hamilton Gallery of Distinction by purchasing a City of Hamilton table.

This year's Dinner will be held on Wednesday, 1994 November 9th at the Hamilton Convention Centre. The reception will be held at 6:00 p.m, followed by the dinner at 7:00 p.m.

This year's honourees are: Rev. T. Melville Bailey, Charles William Bell, Sir John M. Gibson, Elizabeth Bradford Holbrook, Anne and Aubrey Jones and Norm Marshall.

Urban/Municipal Librarian
Hamilton Public Library
2nd Floor

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

NOV 2 1994

GOVERNMENT DOCUMENTS

Thursday, 1994 November 3rd
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder
Susan K. Reeder
Secretary

AGENDA

1. CONSENT AGENDA

2. TREASURER

   (a) Status of 1994 Current Budget and Transitional Costs (copy to follow)

   (b) Extension Agreements

3. GRANTS CO-ORDINATOR

   1995 Grant applications and policies

4. DEVELOPMENT CHARGES STAFF SUB-COMMITTEE AND TREASURER

   Development Charges Public Meeting and Study (copy to follow)

5. DEVELOPMENT CHARGES STAFF SUB-COMMITTEE

   Relief from the Development Charges Act - 185 Dartnall Road - Armenia Community Centre

6. MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION

   Downtown Housing Initiatives

7. DIRECTOR OF PROPERTY

(a) Renewal of Lease for Various City properties occupied by the Region

(b) City sale of Lots 8, 9, 10 and 11 plus Block 12, Plan 62M-658, Dartnall Road to The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.)

8. CITY SOLICITOR

To consolidate By-law No. 71-69 respecting the levying of municipal taxes

9. ACTING DIRECTOR OF PUBLIC WORKS

Purchase of three (3) 53,000 lb. GVW Chassis with, 20 Cu. Yd. rear loading refuse packer bodies, Fleet Services

10. OTHER BUSINESS

11. ADJOURNMENT

1.

FINANCE AND ADMINISTRATION COMMITTEE
THURSDAY, 1994 NOVEMBER 3RD

CONSENT AGENDA

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

(i) Minutes of the regular meeting held Thursday, 1994 October 20th.

(ii) Minutes of the special meeting held Tuesday, 1994 October 25th.

B. CITY SOLICITOR

A By-law to amend the Emergency Plan By-law No. 86-164

C. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items

Thursday, 1994 October 20
9:30 o'clock a.m.
Room 233, City Hall

A. (i)

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Alderman T. Anderson
Alderman G. Copps
Alderman T. Cooke
Alderman D. Agostino
Alderman V. Agro
Alderman D. Drury

Regrets: Mayor Robert M. Morrow - City Business

Also present: J. Pavelka, Chief Administrative Officer
D. Vyce, Director of Property
R. Salayko, Public Works Department
J. Hindson, Director of Information Systems
C. Hay, Corporate Health, Human Resources Centre
A. Ross, Treasurer
J. Johnston, Commissioner of Human Resources
P. Noé Johnson, City Solicitor
D. Powers, Law Department
M. Watson, Property Department
B. Gilchrist, Treasury Department
Susan K. Reeder, Secretary

A G E N D A

A. PRESENTATION - Barrier Free Design Standards

Carolyn Hay of Corporate Health, Human Resources Centre, was in attendance to make a presentation to the Committee with respect to the Barrier Free Design Standards. The Chairperson indicated that this presentation had been given to the previous Standing Committees during the week, and in this regard it was felt a repeat of the presentation was not necessary. Rather it was agreed that the members of the Committee be given an opportunity to pose any questions they may have.

In this regard, the Committee approved the recommendation presented to them from the Director of Property dated 1994 October 11, respecting the above noted matter as follows:

(a) That the Barrier Free Design standards, adopted by Regional Council, at its meeting held 1994 October 4, be adopted by Hamilton City Council; and,

(b) That the said standards be mandatory for all newly constructed, retrofitted buildings owned, leased or funded, partially or fully, by the City of Hamilton; and,

(c) That the affected Departments be requested to review their previously authorized and future project budgets and make recommendations to their respective Standing Committees regarding any increased cost of a project as a result of (b) above; and,

(d) That the Corporation of the City of Hamilton, through the project management function in the Property Department, be given the authority to ensure compliance with the said standards during the pre-planning, design, construction documents preparation and the contract administration phase; and,

(e) That the City Solicitor, the Building Department and the Property Department form a task force to investigate the legislative requirements to adopt these standards on a provincial level; and,

(f) That staff of the Architectural Division, Property Department, be authorized to review the said standards every 3-5 years to maintain its status with technology and construction advancements.

The Committee was also in receipt of correspondence from the Regional Clerk's Office dated 1994 October 7, respecting the Referral of the Barrier Free Design Standards to Area Municipalities for Action. The Committee **received** this document for information purposes.

The Committee was in receipt of a memorandum from the Secretary of the Planning and Development Committee dated 1994 October 19, advising the Finance and Administration Committee that the Planning and Development Committee agreed to endorse the Barrier Free Design Sub-Committee's Executive Summary dated 1994 July, which recommends a set of design standards addressing the elimination of physical barriers in the built environment. The Committee **received** this memorandum for information.

3. DIRECTOR OF PROPERTY

(a) City Sale of Parts 8, 9, 10, and 11 plus Block 12, Plan 62M-658, Dartnall Road to The Hamilton Society for the Prevention of Cruelty to Animals (HSPCA); and Proposed Funding Agreement between the City and the H.S.P.C.A. regarding use and advance of Infrastructure funds

The Committee was in receipt of a report from the Director of Property dated 1994 October 17, respecting the above noted matter.

Representatives from the H.S.P.C.A. were in attendance and spoke to the Committee with respect to their concerns on the recommendation that fair market value be paid on the land being given by the City, as well as the condition respecting long-term animal control services to the City.

A considerable amount of discussion ensued with comments from the staff of the Law Department and the Property Department on this matter.

The Committee agreed to approve Sections, 1, 3, and 4 of the recommendation from the Director of Property, and to refer Section 2 of the report to members of the Property, Law and Treasury staff to meet with the representatives of the S.P.C.A. and arrive at a resolve to the concerns expressed. It was agreed that this matter would be brought back to a Special Meeting of the Finance and Administration Committee to be held on Tuesday, 1994 October 25, at 6:00 o'clock p.m., prior to City Council.

The Committee then approved the following Sections of the report:

(a) That the Offer to Purchase executed by the officials of The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) for conveyance by the City of Hamilton of Lots 8, 9, 10 and 11 plus Block 12 (subject to an easement in favour of Trans Canada PipeLine Limited) Plan 62M-658, having a frontage of 151.4 metres (496.72 feet) along the eastern limit of Dartnall Road by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) having an area of 1.536 hectares (3.795 acres) for the sum of $1. be approved and completed; and,

(b) That the Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) be exempt from the City policy of having to provide a security deposit for its site plan agreement and that the City accept, in its place, the SPCA's agreement that default under the site plan agreement be treated as default under its Infra funding Agreement with the City; and,

(c) That the Mayor and City Clerk be authorized to execute an Infrastructure Funding agreement with the SPCA providing the terms and conditions under which Infrastructure funding is intended to be provided towards the construction cost of the Purchaser's facility to be built and under which the expenditure of monies of the Federal-Provincial Infrastructure Programme shall proceed. Such agreement shall also provide that when the Society submits its claim, the City will advance the funding, pending reimbursement under the Infra program, to enable the Society to maintain its cash flow. The funding agreement shall be in a form satisfactory to the City Treasurer and the City Solicitor and shall also include the following matters:

(i) The SPCA shall assume all costs of the project not covered by the Infra monies; and,

(ii) The SPCA shall hire its architect, its contractor and other advisers on such terms and upon such contract form and terms as the SPCA and its advisers consider appropriate, including CCDC contract forms, prequalification procedures, performance, labour and material bonds, subject to the following exceptions: all contracts shall be subject to the City's fair wage policy; the City's local preference policy and all contracts shall be subject to requirements of the Canada/Ontario Infrastructure Program.

(b) City Hall Cafeteria - Sale of Nevada Tickets to aid Charitable Fundraising.

The Committee was in receipt of a report from the Director of Property dated 1994 October 13, respecting the above noted matter. The Committee approved the following:

That the request from Carmen's Catering Ltd. to sell Nevada tickets to support the fundraising efforts of the YMCA at its leased location in the City Hall Cafeteria be approved.

Note: Alderman Copps opposed.

(c) **Proposed Lease with Junior Achievement of Hamilton-Wentworth - Upper Wentworth Composite Building.**

The Committee was in receipt of a report from the Director of Property dated 1994 October 13, respecting the above noted matter. The Committee approved the following:

(a) That Section 21(d) of the Fourteenth Report for 1993 of the Finance and Administration Committee, adopted by City Council on 1993 July 27, which reads as follows: "That the Junior Achievement of Hamilton-Wentworth be allowed to lease approximately 6,379 square feet in the Upper Wentworth Composite Building", be rescinded; and,

(b) That as the Upper Wentworth Composite Building is surplus to the City's needs, the Director of Property be authorized to proceed to dispose of this property.

Note: Alderman Copps opposed.

4. **FRENCH SUB-COMMITTEE - Change in Composition of French Sub-Committee**

The Committee was in receipt of a report from the Secretary of the French Sub-Committee dated 1994 October 6, respecting the above noted matter. The recommendation requested that representatives from a number of francophone communities comprise the structure of the French Sub-Committee, rather than the present system of appointments being made from a list of persons who apply.

The Committee was also in receipt of a recommendation from the City Clerk dated 1994 October 17, respecting this recommendation.

The Committee approved the following recommendation from the City Clerk:

That the recommendation of the French Sub-Committee to changed its composition for the next Term of Office, **be received** and referred to the Task Force to Review the Sub-Committees System, for consideration.

5. **CORRESPONDENCE - Alderman D. Wilson - Request for the City's endorsement of the efforts of the Central West Emergency Helicopter Committee**

The Committee was in receipt of correspondence forwarded to them from Alderman Wilson, respecting the above noted matter.

The Committee approved the following:

That the City of Hamilton convey its support and endorsement to the Central West Emergency Helicopter Committee for its efforts to raise funds to purchase an Emergency Services Helicopter for the Hamilton area.

6. TREASURER

(a) Write off of Outstanding Business Taxes

The Committee was in receipt of a report from the Treasurer dated 1994 October 17, respecting the above noted matter.

The Committee approved the following:

That outstanding business taxes in the amount of $400,406.61 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-offs.

(b) Procedures - Extension Agreements

The Committee received a copy of a recommendation from the Treasurer dated 1994 October 19, respecting the above noted matter, which was distributed at the meeting.

Following discussion, the Committee approved the following:

(a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

(i) 1221 Stone Church Road East
(ii) 17 Clare Avenue
(iii) 227 Mary Street
(iv) 72 Stone Church Road West
(v) 97 Aikman Street
(vi) 151 Kingslea Drive

(b) That the Mayor and City Clerk be authorized to execute the By-law and extension agreements.

7. ACTING DIRECTOR OF PUBLIC WORKS - Quality of Wheelchair Tires

The Committee was in receipt of a report from the Acting Director of Public Works dated 1994 October 11, respecting the above noted matter.

Alderman Copps spoke to this recommendation and requested that the Regional Advisory Committee for Persons with Physical Disabilities be given an opportunity to participate in these discussions.

Accordingly, the Committee approved the following:

(a) That the Director of Public Works be authorized to approach wheelchair tire manufacturers to recommend that the quality of wheelchair tires be upgraded to be more sidewalk worthy; and,

(b) That Regional Council be requested to refer this issue to its Regional Advisory Committee for Persons with Physical Disabilities for its participation in this approach.

8. **CITY CLERK - Request from the Hamilton Gallery of Distinction for the City to purchase a table of 10 for the 1994 Induction Ceremonies and Dinner**

The Committee was in receipt of a report from the City Clerk dated 1994 October 13, respecting the above noted matter.

The Committee approved the following:

(a) That the City of Hamilton purchase a table of 10 at a cost of $600. for the 1994 Induction Ceremonies and Dinner for the Hamilton Gallery of Distinction to be held on Wednesday, 1994 November 9, at the Hamilton Convention Centre; and,

(b) That funding for this expenditure be charged to the Unclassified Account No. CH55113 24201.

ADDED - MAYOR MORROW - International Society for Aerosols in Medicine (ISAM) - 10th Biennial Congress - 1995 May 15 - 19, Hamilton

The Committee was in receipt of an added recommendation from the Mayor, respecting the above noted matter.

Following discussion, the Committee approved the following:

(a) That the City of Hamilton host the Awards Night Ceremony during the International Society for Aerosols in Medicine (ISAM), at a cost not to exceed $5,000., in 1995 May; and,

(b) That funds for this expenditure be financed from the 1994 Account No. CH55314 84010 - Special Civic Receptions and Delegation Hostings.

2. **CONSENT AGENDA**

The Committee was in receipt of its Consent Agenda and approved the following:

A. **MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE**

The Committee was in receipt of the minutes of its regular meeting held Thursday, 1994 October 6, and approved these minutes as circulated.

B. **CITY CLERK**

(i) **Use of City Hall facilities - St. Joseph's Hospital Jingle Bell Run/Walk**

The Committee was in receipt of a report from the City Clerk, dated 1994 October 3, respecting the above noted matter and approved the following:

(a) That approval be given to the request of St. Joseph's Hospital to use the City Hall forecourt and first floor washrooms on Sunday, 1994 November 27 from 10:30 a.m. - 12:30 p.m. for the St. Joseph's Jingle Bell Run/Walk; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(ii) Use of City Hall facilities - Hamilton Hallowe'en Run

The Committee was in receipt of a report from the City Clerk, dated 1994 October 4, respecting the above noted matter and approved the following:

(a) That approval be given to the request of the organizers of the Hamilton Hallowe'en Run to use the City Hall forecourt and related equipment together with access to the first floor washrooms on Sunday, 1994 October 30 from 12:00 noon - 2:00 p.m. on the occasion of the Hamilton Hallowe'en Run; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iii) Use of City Hall facilities - Settlement and Integration Services Organization Walkathon

The Committee was in receipt of a report from the City Clerk, dated 1994 October 6, respecting the above noted matter.

The Committee approved the following:

That approval be given to the action taken by the City Clerk in granting the request of the Settlement and Integration Services Organization to use the City Hall forecourt and related equipment together with access to the first floor washrooms on Sunday, 1994 October 16 from 10:00 a.m. - 2:00 p.m. during a Walkathon for Rwanda.

(iv) Use of City Hall Facilities - International Women's Week Display

The Committee was in receipt of a report from the City Clerk, dated 1994 October 7, respecting the above noted matter and approved the following:

(a) That approval be given to the request of the Status of Women Sub-Committee to use the second floor foyer, east and west ends, from 1995 March 5 to 11 for a display of Women's Art during International Women's Week; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

C. TREASURER

(i) Financing of the Upset Limit of a Consultant to review the 1994-1995 Chedoke Ski Hill Operations

The Chairperson indicated that this Item is deleted from the Agenda, as the Parks and Recreation Committee did not approve the hiring of a consultant at its meeting.

(ii) **Additional Financing required for local improvements closed in 1991.**

The Committee was in receipt of a report from the Treasurer dated 1994 October 12, respecting the above noted matter. The Committee approved the following:

> That as referred to in Section 18 of the Fourteenth Report for 1994 of the Transport and Environment Committee, the City's share of financing required in the amount of $1,391.38 for additional financing for Local Improvements closed in 1991 be funded from the Reserve for Capital Projects, Account Centre No. CH 00203.

(iii) **Funding - 1994 Servicing Expenditures related to Subdivisions "Sheldon Estates".**

The Committee was in receipt of a report from the Treasurer dated 1994 October 17, respecting the above noted matter. The Committee approved the following:

> That as referred to in Section 17 of the Fourteenth Report for 1994 of the Transport and Environment Committee, the City's share of financing for "Sheldon Estates" Servicing, at a cost of $92,528., be funded from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".

D. CITY SOLICITOR - Debenture Projects Cost Amending By-law

The Committee was in receipt of a report from the City Solicitor dated 1994 October 14, respecting the above noted matter.

The Committee agreed that the By-law for Debenture Projects Cost Amending be forwarded to City Council for enactment.

E. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1994 October 13, respecting the above noted matter.

The Committee approved the following:

> That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:
>
> (a) Minutes - Hamilton Status of Women Sub-Committee - meeting held 1994 September 12.
>
> (b) Minutes - Keep Hamilton Clean Committee - meeting held 1994 September 7.
>
> (c) Correspondence - Director of Information Systems - Bell Canada Payphones.
>
> (d) Information Report - Chief Administrative Officer - Safe City Sub-Committee - report dated 1994 October 12th.
>
> (e) Information Report - Chief Administrative Officer - Insufficient Funding in Capital Appropriations - report dated 1994 October 6.
>
> (f) Information Report - Treasurer - Status of Unclassified Revenue and Expenditures as at 1994 September 30th.

(g) Information Report - Treasurer - Status of Hosting, Receptions and Related Accounts as at 1994 September 30th.

ADDED - ALDERMAN COPPS - Fair Wage Policy

Alderman Copps requested that information be brought back to the Committee respecting the status of the Enforcement of the City's Fair Wage Policy.

In this regard, John Johnston, Commissioner of Human Resources, indicated that he would provide a report back to the Committee for its February meeting.

1. PRIVATE AND CONFIDENTIAL AGENDA

The Committee agreed to move In-Camera to discuss matters of a Private and Confidential nature.

The Committee moved back into Regular Session and approved the following:

AA. CHIEF ADMINISTRATIVE OFFICER - Integration of the City of Hamilton's Treasury Department with the Region of Hamilton-Wentworth's Finance Department.

(a) That the services of the City of Hamilton's Treasury Department be integrated with those of the Region of Hamilton-Wentworth's Finance Department, based upon the general guidelines proposed in the "Integration of Treasury and Finance Functions" prepared by Price Waterhouse, dated 1994 October 13; and,

(b) That the following transaction processing functions be integrated into one service delivery:

(i) Purchasing, commitment processing and accounts payable;

(ii) Non-tax revenue billing and accounts receivable, including utility billing and collections;

(iii) Tax collection;

(iv) Cashiers;

(v) Payroll and benefits payment and accounting;

(vi) General accounting, including management of general ledgers for each of the two entities;

(vii) borrowing, investments and cash management; and,

(c) That the City of Hamilton and the Region of Hamilton-Wentworth participate in a study evaluating the feasibility of integrating the Hamilton Street Railway's Purchasing and Stores function with the City of Hamilton's Purchasing and Stores function; and,

(d) That an amount of $150,000. be considered during the 1995 Current Budget deliberations for an external consulting service to assist with facilitating this integration to be shared equally between the City of Hamilton and the Region of Hamilton-Wentworth; and,

(e) That a Treasurer to head the primary Department (service provider) and a Director of Finance be appointed; and,

(f) That the City of Hamilton should be the service provider and proceed with the integration as outlined in the "Integration of Treasury and Finance Functions" prepared by Price Waterhouse, dated 1994 October 13.

BB. CITY SOLICITOR AND ACTING DIRECTOR OF PUBLIC WORKS

(i) Humberto Raposo et al vs the City and the Region; Ontario Court (General Division) Action No. 3715/93

(a) That the City of Hamilton not accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 3715/93 upon payment of $7,000. plus costs and interest; and,

(b) That the Law Department be authorized to make an Offer to Settle in Ontario Court (General Division) Action No. 3715/93 in the following terms:

(i) That the City of Hamilton will pay to the Plaintiffs Humberto and Alzira Raposo the sum of $2,000. inclusive of all claims for damages, interest and costs; and,

(ii) That all claims, and cross or counter-claims as against the City of Hamilton in Ontario Court (General Division) Action No. 3715 shall be dismissed without costs; and,

(iii) That this Offer shall remain open for acceptance until withdrawn, or until the commencement of Trial, whichever shall first occur.

(ii) City of Hamilton -ats- John; Ontario Court (General Division) Action No. 18886/90

(a) That the City agree to resolve Ontario Court (General Division) Action No. 18886/90 by the payment to the Plaintiffs, Clara John and Brenda Clairmont, by her litigation guardian Norma Griffin, a contribution in the amount of $2,000. inclusive of all claims for damages, interest and costs; and,

(b) That Ontario Court (General Division) Action No. 18886/90 be dismissed without costs; and,

(c) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor.

(iii) City of Hamilton -ats- Arnold; Ontario Court (General Division) Action 33728/92

(a) That the City resolve Ontario Court (General Division) Action No. 33728/92 by the payment to the Plaintiffs, Diane Arnold, Robert Arnold, Jennifer Arnold, Karen Payne, and Samantha Payne of the sum of $3,500. inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 33728/92 be dismissed without costs.

CC. **CITY SOLICITOR AND FIRE CHIEF - City of Hamilton -ats- Dimatteo - Ontario Court (General Division) Action No. 21506/90**

(a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 21506/90 by the payment to the Plaintiffs, Robert Dimatteo, Donatina Dimatteo, Pat, Louisa and Annette Dimatteo of the sum of $35,563.82 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 21506/90 be dismissed without costs.

10. **ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,

Susan K. Reeder.

Susan K. Reeder
Secretary
1994 October 20

/dbm

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, 1994 October 25
6:00 o'clock p.m.
Room 233, City Hall

A. (ii)

The Finance and Administration Committee met.

There were present:	Alderman D. Ross, Chairperson Alderman B. Charters, Vice-Chairperson Mayor Robert M. Morrow Alderman D. Drury Alderman V. Agro Alderman G. Copps Alderman T. Cooke Alderman D. Agostino
Regrets:	Alderman T. Anderson
Also present:	Alderman W. McCulloch J. Pavelka, Chief Administrative Officer D. Powers, Law Department D. Vyce, Director of Property B. Chrystian, Manager of Parks, Public Works Department C. Firth-Eagland, Acting Director of Public Works W. Plesl, Co-Ordinator Park Development/Maintenance, Public Works Department A. Ross, Treasurer J. Schatz, City Clerk Susan K. Reeder, Secretary

A G E N D A

1. **Director of Property - Discussions held with the H.S.P.C.A. respecting the Agreement for the City Sale of Lots 8,9,10 and 11 plus Block 12, Plan 62M-658, Dartnall Road to The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.)**

   The Committee was in receipt of a memorandum from the Secretary of the Finance and Administration Committee dated 1994 October 21, outlining the decision of the Finance and Administration Committee with respect to the above noted matter.

   The Committee agreed to move In-Camera to discuss the matter, respecting Land Sale Negotiations.

   There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder

Susan K. Reeder
Secretary
1994 October 25

/dbm

B.

CITY OF HAMILTON

- RECOMMENDATION -

OCT 20 1994

DATE: 1994 October 18

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: **A By-law To Amend the Emergency Plan By-law No. 86-164**

RECOMMENDATION:

That the attached By-law be enacted by City Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On June 28, 1994, in Adopting Item 40 of the 10th Report of the Finance and Administration Committee, City Council authorized amendments to By-law No. 86-164 which contains the City of Hamilton's Emergency Plan.

DISCUSSION:

The attached By-law incorporates the changes recommended in the Report on the Emergency Plan By-law.

LEF:as
Enc.

c.c. J. Pavelka, C.A.O.
c.c. A. Ross, Treasurer

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Amend By-law No. 86-164

Respecting

THE FORMULATION OF A MUNICIPAL EMERGENCY PLAN

WHEREAS Section 3 of the Emergency Plans Act, R.S.O. 1990, Chapter E.9 provides as follows:

3(1) The council of a municipality may pass a by-law formulating or providing for the formulation of an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency.

(2) A by-law passed under subsection (1) may provide for money associated with the formulation and implementation of the emergency plan.

(3) The council of a county may with the consent of the councils of the municipalities situated within the county co-ordinate and assist in the formulation of their emergency plans under subsection (1).

(4) The Lieutenant Governor in Council may designate municipalities that shall have an emergency plan respecting the type of emergency specified in the designation and, where so designated, a municipality shall formulate or provide for the formulation of the emergency plan. 1983, c. 30, s. 3.

AND WHEREAS By-law No. 86-164 was enacted on the 13th day of May, 1986 to formulate a municipal emergency plan.

AND WHEREAS City Council on June 28, 1994 in adopting Item 40 of the 10th Report of the Finance and Administration Committee authorized this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 86-164 is amended by deleting Section 5 and replacing it with the following:

   5. Every person who contravenes this By-law is guilty of an offence and upon conviction subject to the penalties of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, Section 61.

2. Schedule A of Schedule 1 to By-law No. 86-164 is amended by adding the following Sections:

5.A THE MAYOR

The Mayor shall be the designated political spokesperson for the City of Hamilton in the event of a declared state of emergency. Any Press Release shall be jointly prepared and released by the Mayor and the technical spokesperson of the lead resource, being either the municipal department or an outside agency.

6.(e) The Chief Administrative Officer and the Disaster Control Group shall designate the appropriate municipal department or outside agency to be the lead technical resource for the Emergency.

(h) Where a municipal department is designated as the lead technical resource, the Disaster Control Group shall select the spokesperson from the municipality to be the sole technical spokesperson on the emergency in conjunction with the Mayor.

3. Paragraph 5(b) of Schedule A of Schedule 1 of By-law No. 86-164, is amended by adding the following paragraphs:

(xi) Where an outside agency is the lead technical resource, the Disaster Control Group shall work in conjunction with the lead technical resource and the spokesperson designated by such outside agency shall be the sole technical spokesperson on the emergency in conjunction with the Mayor;

(xii) Providing advice, where requested by the Mayor, on the extent of a state of Emergency intended to be declared, including the appropriate outside agencies to be consulted or notified, the area of the emergency to be specified, if any.

4. Schedule A of Schedule 1 of By-law 86-164 is further amended by adding the following paragraphs:

15. That Press Releases be jointly prepared and released by the Mayor and the technical spokesperson of the lead resource, namely the municipal department or outside agency, as the case may be;

16. Where a declared state of emergency affects schools or school students, that the Directors of Education for the Boards of Education be contacted as soon as possible about the state of emergency. Each school board shall be requested to provide their emergency communication representatives to the Chief Administrative Officer for inclusion in the City of Hamilton Emergency Plan.

17. Where a declared state of emergency affects matters related to the Hamilton Harbour, that the Hamilton Harbour Commission be contacted as soon as possible about the state of emergency. The Hamilton Harbour Commission shall be requested to provide its emergency communication representatives to the Chief Administrative Officer for inclusion in the City of Hamilton Emergency Plan.

18. FINANCIAL:

(a) That in accordance with the City's Emergency (purchasing) Procedures (under the City's Purchasing Policies, two of three of the Mayor, the Chief Administrative Officer or Chairman of a committee), - approval may be granted to incurring and payment of expenses necessary to fulfil the City's responsibilities in its response to a declared State of

Emergency;

(b) That the City Treasurer be authorized to charge such expenses to the City's reserve for contingencies;

(c) That staff be authorized to initiate steps to recover those expenses (if any) which are subsequently identified as the obligations of other parties;

(d) That staff be directed to not reimburse persons or outside public agencies for expenses incurred by them unless such expenses were incurred in areas of City responsibility. The onus is on each person and outside agency to pay its expenses arising from an emergency and, if necessary, to recover such expenses from the persons liable at law for such expenses. The City is not responsible to reimburse others for expenses which they ought to recover from the persons liable at law for them;

19. UPDATING THE EMERGENCY PLAN

(a) That a joint Task Force be reconvened annually in May by the CAO to identify and prepare for Council approval amendments to update the City's Emergency Plan;

(b) That employees of the Region and the Boards of Education and other outside agencies be consulted and requested to participate in the City's annual review of its Emergency Plan; and,

(c) That the initial joint Task Force complete its review of the City's Emergency Plan and report to the Finance and Administration Committee by 1995 May 31.

DATED this day of 1994.

CITY CLERK MAYOR

C.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 31st

REPORT TO: Alderman D. Ross, Chairperson & Members
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: **Information Items**

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

(a) Real Estate Division of the Property Department - Services to the Region for the third quarter of 1994 - memo dated 1994 October 19th

(b) Correspondence - Regional Clerk's Office - Forwarding of Hamilton-Wentworth's Response to the Ministry of Community and Social Services Child Care Proposal, for information.

Susan K. Reeder

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The above-noted documents have been sent out to members of the Committee and the applicable staff for information purposes, and are being formally presented to the Committee in order to be officially received. Approval of this recommendation to receive these documents will ensure that the circulation procedure followed for these matters is recorded.

2. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Authorization to enter into extension agreements on specific properties for the payment of realty tax arrears

RECOMMENDATION:

1) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:

   a) 167 Park Row North
   b) 185 Fennell Avenue East
   c) 101 Munn

2) That the attached by-law to authorize the said Extension Agreements be enacted by Council.

3) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The execution of the by-law and agreements, where required, will defer the City's right to sell the lands for tax arrears for a maximum period of 24 months; however, the City will be in receipt of regular monthly payments towards current and prior years arrears over the term of the agreements.

BACKGROUND:

Section 8 of the Municipal Tax Sales Act provides that the municipality, by a by-law passed after the registration of the tax arrears certificate and before the expiry of the one-year period for redemption, may authorize an extension agreement with the owner of the land extending the period in which the cancellation price is to be paid. On June 28, 1994, in accordance with this legislation, Council approved a policy authorizing the City to enter into extension agreements with taxpayers providing certain conditions were met.

The owner of a property which has been registered for tax arrears may request the City to consider an extension agreement at any time up to and including the final day on which the redemption period expires. Administratively, there may not be sufficient time to obtain the necessary Council approval of the by-law prior to this deadline. Accordingly, staff are requesting advance authorization for the City to enter into extension agreements, if necessary, with the owners of the above specific properties they are presently negotiating with providing they meet the conditions outlined in the policy adopted by Council on June 28, 1994.

In certain instances when all of the conditions in the extension agreement policy are not met the Treasurer should be allowed the latitude to recommend an extension agreement be entered into if it is deemed to be in the best financial interest of the municipality. Under these circumstances a separate report would be provided to the Committee for deliberation and approval.

This procedure of dealing with extension agreements on an as required basis would continue until such time as an alternative process can be recommended to the Committee. Staff in both the Treasury and Law Departments recognize there are administrative, timing and legislative issues that must be addressed prior to making a decision on this matter.

TWD:jc
Attach

Bill No.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto;

AND WHEREAS the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date on Schedule "A" attached hereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of A.D., 1994.

CITY CLERK MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	167 PARK ROW N
	SERIAL NUMBER	04 03140 0070
	BRIEF LEGAL DESCRIPTION	PLAN 297 PT LOT 188
	DATE OF REGISTRATION	OCT 4, 1994
	INST # OF TAX ARREARS CERTIFICATE	195530
	REDEMPTION DATE	OCT 4, 1995
	TOTAL ARREARS	$5,087.53
B)	PROPERTY ADDRESS	185 FENNELL E
	SERIAL NUMBER	08 09010 0670
	BRIEF LEGAL DESCRIPTION	PLAN 495 LOT 93
	DATE OF REGISTRATION	OCT 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	195669
	REDEMPTION DATE	OCT 6, 1995
	TOTAL ARREARS	$12,654.41
C)	PROPERTY ADDRESS	101 MUNN STREET
	SERIAL NUMBER	06 06220 7930
	BRIEF LEGAL DESCRIPTION	PLAN 507 LOT 250 PLAN 638 PT LOT 251
	DATE OF REGISTRATION	OCT 4, 1994
	INST # OF TAX ARREARS CERTIFICATE	195531
	REDEMPTION DATE	OCT 4, 1995
	TOTAL ARREARS	$9,219.10

CITY OF HAMILTON
- RECOMMENDATION -

3.

DATE: 1994 October 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. Kevin Beattie
Grants Co-ordinator

SUBJECT: 1995 Grant Applications and Policies

RECOMMENDATION:

a) That the 1995 General and Convention/Reception Grant Applications and Policies be made available, consistent with the issuance of the 1994 grant applications and policies, with a 1994 December 31 deadline for the General Grant Applications;

b) That the process for reviewing and approving of these 1995 grant applications be considered by the Finance and Administration Committee by the end of January 1995.

D Kevin Beattie

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial implications with respect to making the 1995 grant applications available, beyond postage and in-house copying which can be accommodated within the appropriate accounts. The grants budget for 1995 as part of the existing policy has provision for a funding formula which allows for growth in the fund to the extent of the assessment growth. The 1994 total grants budget is $448,110.

BACKGROUND:

Annually the grant applications for the following year are made available at this time to facilitate a consistent deadline for the submission of the general grant applications by December 31. On a request basis the general grant applications are mailed out along with a copy of the applicable policy. A workshop is planned to be held in December to assist with the completion of the application and to respond to any questions. This format is consistent with the availability of the 1994 grants.

Historically the grants process has been reviewed annually. In light of the timing of the municipal election, it is suggested that the process of reviewing and approving the 1995 grant applications be considered in January, 1995, once the new Finance and Administration Committee has been struck.

DKB

CITY OF HAMILTON
- RECOMMENDATION -

5.

DATE: 1994 October 28

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, Chairman
Development Charges Staff Subcommittee

SUBJECT: Relief from the Development Charges Act
185 Dartnall Road - Armenia Community Centre
(94.2.4.2.1.A, 94.4.12)

RECOMMENDATION:

That after hearing the evidence and submission of the complainant, Armenia Community Centre, the Council for the Corporation of the City of Hamilton hereby confirms the development charges imposed on the property located at 185 Dartnall Road has been properly imposed pursuant to the City Development Charges By-law 90-74.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount payable is not known at this time as building permit plans have not been submitted, however, based on lot area, development charges are approximately $3,145.13.

BACKGROUND:

On 1994 June 8 the Armenia Community Centre of Hamilton purchased 185 Dartnall Road from the Hamilton-Wentworth Region as the site of a new community centre.

The applicant has made a request to the City of Hamilton for relief from payment of the development charges. The amount of development charges payable is not known at this time as an application for building permit has not been made. Based on a lot area of .454 hectares and a building with less than 50% lot coverage, development charges would be approximately $3,145.13.

On 1994 September 13, the Development Charges Staff Subcommittee met and reviewed the request for relief.

.../2

It was the decision of the Committee that the request be denied for the following reasons:

- There is not valid complaint under the Development Charges Act as the development charges are not yet paid.
- The exact amount payable is not known at this time.
- There is no provision in the By-law or the Development Charges Act to exempt properties which are used as community centres or private clubs.

PCL/dm

6.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 24

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Mark Mascarenhas
General Manager
Municipal Non-Profit (Hamilton) Housing Corporation

SUBJECT: Downtown Housing Initiatives

RECOMMENDATION:

That in furtherance of the City's initiatives in the downtown, the Mayor, on behalf of Hamilton City Council, meet with the Provincial Minister of Housing and area members of the Provincial Parliament to request funding for the downtown integrated housing proposal and the Barton/Ferguson townhouse proposal submitted by the Municipal Non-Profit (Hamilton) Housing Corporation under Wave 3 of the JobsOntario Homes Program.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Pursuant to Sub-section (b) of Section 5 of the Sixth Report of 1994 of the Finance and Administration Committee which reads:

> "That the Municipal Non-Profit (Hamilton) Housing Corporation be requested to give consideration to developing non-profit housing as infilling projects in the downtown core",

.../2

I would like to report that at its meeting of August 8, 1994 the Board of Directors of Municipal Non-Profit (Hamilton) Housing Corporation received and accepted the recommendation.

I would like to provide, for the information of the Finance and Administration Committee, this synopsis of initiatives undertaken or being planned by Municipal Non-Profit (Hamilton) Housing Corporation in which consideration has been, or is being, given to the downtown.

1. "Focus on Housing" - Housing Development Directions for Hamilton in the 1990's:

   This Strategic Planning document approved by the Board of Municipal Non-Profit (Hamilton) Housing Corporation in January, 1994 calls for increased housing in the downtown core as one of the development directions of the Corporation. Drawing from the Centre Area Plan, "Focus on Housing" stresses the importance of a healthy, vibrant, well-designed, human scale environment and the economic well-being of Downtown. In particular, it is recognized that residential development for all levels of income, including mixed use commercial/residential buildings be encouraged.

2. In-Fill Housing in Periphery of Downtown:

   The Corporation has developed in-fill housing projects, peripheral to the downtown core, at:

   - 10 Brock Street - 10 townhouses in-fill
   - 101 Broadway Avenue - 45 apartments in-fill
   - 75 Wentworth Street North - 40 apartments and 10 townhouses in-fill
   - 1781 King Street East - 18 apartments in-fill
   - 430 Cumberland Avenue - 152 apartments in-fill

   The 275 households in these developments would cause positive spin-offs for the downtown core.

3. JobsOntario Homes Applications:

   The Corporation has made application under JobsOntario Homes, Wave 3 RFP, for an integrated downtown housing development for a site yet to be selected. The proposal is for a range of 41-60 units incorporating 8 units for the YWCA developmentally disabled group, and the balance being for seniors, singles, families and physically disabled. A Provincial decision is expected in February 1995.

.../3

4. The Corporation has also made application under the JobsOntario Homes Program for a 55 unit townhouse development at the CN Rail site on Barton and Ferguson recently rezoned for that purpose. The creation of ground oriented housing in the inner city is ideal for families and will contribute to urban revitalization of both Barton Street and the downtown core.

In order to obtain funding it is critical, especially with a Provincial election due in the next eight months, that the Provincial Government be sensitized to and informed of the need for funding allocations for Hamilton since other communities across Ontario are also lobbying the Government. A meeting with the Provincial Minister of Housing, who is from Hamilton, and area M.P.P.'s would significantly serve to elicit a positive response to the two proposals by Municipal Non-Profit (Hamilton) Housing Corporation.

MM/dc

7. (a.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 31

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Renewal of Lease
for Various City Properties
Occupied by the Region

RECOMMENDATION:

(a) That the City of Hamilton renew the Master Lease for space occupied at City Hall by The Regional Municipality of Hamilton-Wentworth, for a period of four (4) years commencing 1994 December 1 and terminating 1998 November 30 being subject to approval of the Regional Administrative Services Committee and Regional Council; and,

(b) That the City of Hamilton renew the lease with The Regional Municipality of Hamilton-Wentworth for space occupied by the Social Services Department at 74 Hughson Street South for a period of four (4) years commencing 1994 December 1 and terminating 1998 November 30. The four (4) year term is only for the establishment of the rent. Either party may cancel the lease upon ninety (90) days written notice; and,

(c) That the Mayor and City Clerk be authorized to execute a lease document(s) satisfactory to the City Solicitor; and,

(d) That lease renewals for Sections (a) and (b) above be based on the following Rent Schedules:

RENT COMPUTATIONS

CITY HALL

			TOTAL
PLANNING DEPARTMENT			
(i)	(1)	1994 December 1 to 1997 November 30 - 7th Floor - West Wing - 6,171 square feet 6,171 sq. ft. @ $14.30 per sq. ft. per annum	$ 88,245.30 per annum
	(2)	1997 December 1 to 1998 November 30 - 7th Floor - West Wing - 6,171 square feet 6,171 sq. ft. @ $12.00 per sq. ft. per annum	$ 74,052.00 per annum
ENGINEERING DEPARTMENT			TOTAL
(ii)	(1)	1994 December 1 to 1997 November 30 - 7th Floor - East Wing - 2,858 square feet 2,858 sq. ft. @ $14.30 per sq. ft. per annum	$ 40,869.40 per annum
	(2)	1997 December 1 to 1998 November 30 - 7th Floor - East Wing - 2,858 square feet 2,858 sq. ft. @ $12.00 per sq. ft. per annum	$ 34,296.00 per annum
(iii)	(1)	1994 December 1 to 1997 November 30 6th Floor - Full Floor - 9,029 square feet 9,029 sq. ft. @ $14.30 per sq. ft. per annum	$129,114.70 per annum
	(2)	1997 December 1 to 1998 November 30 6th Floor - Full Floor - 9,029 square feet 9,029 sq. ft. @ $12.00 per sq. ft. per annum	$108,348.00 per annum
(iv)	(1)	1994 December 1 to 1997 November 30 5th Floor - East Wing - 2,933 square feet 2,933 sq. ft. @ $14.30 per sq. ft. per annum	$ 41,941.90 per annum
	(2)	1997 December 1 to 1998 November 30 5th Floor - East Wing - 2,933 square feet 2,933 sq. ft. @ $12.00 per sq. ft. per annum	$ 35,196.00 per annum
(v)		Basement Vault - Jointly by City and Region 800 sq. ft. 800 sq. ft. @ $5.50 per sq. ft. per annum	$ 4,400.00 per annum

Total Engineering Department - 1994 December 1 to 1997 November 30	$216,326.00 per annum
Total Engineering Department - 1997 December 1 to 1998 November 30	$182,240.00 per annum
Total Rented Space in City Hall - 1994 December 1 to 1997 November 30	$304,571.30 per annum
Total Rented Space in City Hall - 1997 December 1 to 1998 November 30	$256,292.00 per annum

SOCIAL SERVICES

(vi)	1994 December 1 to 1998 November 30 74 Hughson Street South - First Floor 5,032.75 sq. ft. @ $10.50 per sq. ft. per annum	$ 52,843.87 per annum
(vii)	15 Hunter Street East - Second & Third Floor 13,622 sq. ft. @ $10.00 per sq. ft. per annum	$136,220.00 per annum
	TOTAL	$189,063.87

(e) In addition to rent paid, the Region is responsible for their proportionate share of the increase in operating costs over the Base Year of 1994. All amounts payable shall be deemed to be additional rent; and,

(f) It is understood and agreed that the Region will be paying a rental of $14.30 per square foot per annum for space occupied in City Hall for the first three (3) years of this lease rather than the current market rent of $12.00 per square foot on the condition that, the City as Landlord will replace the carpeting within the Regional space being leased in City Hall estimated at $142,000.00. The replacement of carpet will be processed through the City's Capital Budget and if ultimately not approved by City Council, the rent for space occupied by the Region will revert to the current market rent of $12.00 per square foot and adjustments made accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Due to competitive market conditions, the proposed rent reduction at City Hall and tenant improvement requirements (carpet) will produce a revenue loss of $193,117 over the four (4) year lease term and the rent reduction at 74 Hughson Street South producing a revenue loss of $24,519 over the same period.

BACKGROUND:

As the leases are up for renewal in City Hall and 74 Hughson Street South, we have prepared a set of recommendations to be considered by the Finance and Administration Committee and City Council. The rates used in the report are without realty taxes as both the City and the Region are exempt. We have recommended a reduction in the rates which have been compared to other Regional lease renewals in office buildings located in the Downtown Core. In the case of City Hall the rate recommended is a reduction to $12.00 per square foot from $14.30 per square foot. This rent reduction will be adjusted back to $14.30 per square foot due to the Regions request for carpet replacement. There has been a tripping incident in an area where the carpet is torn and as a result there are Health and Safety concerns if this carpet is not replaced.

The recommended rental rate for the former Health Building at 74 Hughson Street South is a reduction from $12.65 per square foot on the first floor to $10.50 per square foot.

The rates for the second and third floors of the same buildings are proposed to be reduced from $10.45 per square foot to $10.00 per square foot.

The reasons for the reduction in rental rates are due to the economy, the high office vacancy rate (supply and demand) and the desire from the owners of various office buildings to offer incentives to tenants to secure lease renewals. Rental reductions from rates currently in existence are commonplace and reflect today's market for leases renewed in the range of five (5) years.

The following chart will provide the Committee with some guideline as to our rationale in arriving at a rate reduction for the Region.

OTHER REGION OFFICE LOCATIONS BEING RENEWED	CITY HALL
110 King Street West (Robert Thomson Building) $17.25 per sq. ft. (gross)	Note: For comparison purposes we will add realty taxes in order that the rental rates are compared equally.
25 Main Street West (former I.B.M. Building) $14.90 per sq. ft. (gross) Flat Rate Plus $50,000 Tenant allowance provided by owner	$ 12.00 sq. ft. + 3.00 sq. ft. (realty taxes) $ 15.00 sq. ft. (gross)

1 Hughson Street North (Park Place)
$10.50 1st year gross
$11.50 2nd year gross
$12.50 3rd & 4th year gross

1 James Street South
$10.00 Net
Owner providing $45,000 tenant improvement allowance

MCJW/hew

c.c. Joe Pavelka, Chief Administrative Officer

Allan C. Ross, Treasurer, Treasury Department

P. Noé Johnson, City Solicitor

R. Swan, Manager, Building Operations and Maintenance Division

J. Cerio, Manager of Administration, Property Department

7. (b.)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: City sale of Lots 8, 9, 10 and 11 plus Block 12, Plan 62M-658, Dartnall Road to The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.)

RECOMMENDATION:

(a) That the Mayor and City Clerk be authorized to execute the acceptance of an Offer to Purchase to be made by The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) in a form satisfactory to the Director of Property and the City Solicitor for the conveyance by the City of Hamilton of Lots 8, 9, 10 and 11 plus Block 12 (subject to an easement in favour of Trans Canada PipeLine Limited) Plan 62M-658, having a frontage of 151.4 metres (496.72 feet) along the eastern limit of Dartnall Road by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) having an area of 1.536 hectares (3.795 acres) for the sum of $1. and that the transaction be completed on or before December 15, 1994 incorporating the terms set out below; and,

(b) That the Offer to Purchase shall include the following terms and conditions:

(i) The Purchaser agrees that the herein transaction is conditional upon the successful completion of the purchase of the herein described land by the Vendor, The Corporation of the City of Hamilton, from The Regional Municipality of Hamilton-Wentworth; and,

(ii) In consideration for the grant of the land herein described to the Purchaser, in addition to the payment of $1. to the Vendor, the Purchaser covenants and agrees to and with the Vendor:

(1) That the land shall be used solely for a non profit animal shelter facility operated by the Purchaser; and,

(2) That if the land, in the opinion of the City reasonably arrived at, is used other than as stated in the preceding provision, or contrary to the furtherance of the Purchaser's Objects set out in its Letters Patent as of the 6th day of June, 1938; and,

(3) That if the Purchaser, for whatever reason, ceases to provide upon the said land, animal control and animal welfare services to the City; and,

(4) That the Purchaser shall commence construction of the facility described in Section (b)(ii)(1) above as provided for in the approved site plan(s) and the approved detailed plans, upon the hereinbefore described land, by not later than 1995 March 15th.

Construction is considered commenced when the footings have been installed as determined by the Office of the Building Commissioner; and,

(v) That the Purchaser shall proceed diligently thereafter to complete construction and shall have incurred on or before 1996 January 31 at least 85% of the project's costs; and,

(c) (i) That in the event that the Purchaser does not comply with its covenants and agreements to and with the Vendor set out above within the required time limits (if any) set out above, the Purchaser covenants and agrees:

(1) with respect to Sections (b)(ii)(1)(2)(4) and (5); and,

(2) with respect to Sections (b)(ii)(3) upon not less than six months notice; and,

(ii) That the Purchaser shall, if required by the Vendor, by a date specified by the Vendor:

(1) sell subject land at its Fair Market Value, or

(2) sell, reconvey or transfer the subject land to The Corporation of the City of Hamilton, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever at its then Fair Market Value.

(d) That upon completing the sale referred to in Section (b)(c)(ii)(1) above, the S.P.C.A. shall direct that the proceeds of the sale be distributed between the City and the S.P.C.A. as follows: 67.15% to the City and 32.85% to the S.P.C.A.; and,

(e) That where the City exercises its right to reacquire the property at its then Fair Market Value, as referred to in Section (c)(ii)(2) above or Section (f) below, if the S.P.C.A. and the City do not agree on the then Fair Market Value, the Fair Market Value of the property shall be determined by an appraisal report prepared by an appraiser whose selection is satisfactory to the City and to the S.P.C.A.. The cost of the appraisal shall be borne equally by the City and the S.P.C.A.. Upon such purchase the City shall only be liable to pay the S.P.C.A. for the S.P.C.A.'s interest in the property, namely 32.85% of the Fair Market Value; and,

(f) That providing the City has not exercised its rights in Section (c) above and the City does not have the grounds to do so, and providing the City has received at least six months notice of the Society's intention to sell and the City has not during that period given notice to the Society of the City's intention to acquire the property at its Fair Market Value, the S.P.C.A. may (after the expiry of not less than 20 years from taking title to the subject property,) sell the subject land and, if it does so, the Society agrees that the City shall receive 67.15% of the proceeds of the sale; and,

(g) That in the event that, for whatever reason, the S.P.C.A. ceases to provide upon the said land animal control and animal welfare services to the City, the S.P.C.A. may on not less than six months notice to the City prior to the expiry of the said 20 year period, (notwithstanding the 20 year period referred to in Section (f) above,) sell the land at its then Fair Market Value and distribute the proceeds as follows: 67.15% to the City and 32.85% to the S.P.C.A.. During the said six month notice period the City may give notice to the S.P.C.A. of the City's intention to acquire the property at its Fair Market Value, in which event the property shall be sold to the City in accordance with Section (e) above; and,

(h) That the City's deed to the Purchaser shall be subject to and include the Purchaser's covenants, restrictions and agreements in favour of the City in Sections (b)(1)(2)(3) and Sections (c)(d)(e)(f)(g) and (i) in a form satisfactory to the City Solicitor and the deed to the Purchaser shall be

executed by the Purchaser (for purposes of the said covenants, restrictions and agreements in favour of the City), well in advance of closing and prior to the execution of the deed by the City; and,

(i) That the parties agree from time to time to enter into an agreement to revise the said proceeds formula of 67.15% to the City and 32.85% to the S.P.C.A. to reflect additions or other improvements of a capital nature to the building(s) on the said land paid by either party. Such amending agreement shall be entered into prior to construction of an addition or improvement of a capital nature. Such amending agreement on the part of the City shall not by itself impose any obligation on the City to pay the initial capital cost or maintenance of such addition or improvement of a capital nature; and,

(j) That the parties acknowledge and agree that currently the S.P.C.A. annually approaches the City with respect to approval of an annual contract for services it renders to the City. The City has retained the services of the S.P.C.A. on an annual basis since 1951. Currently the City has the right to accept or reject the S.P.C.A.'s annual offer of services.

The City's present allocation of infrastructure funds and contribution towards the Dartnall Road site of the new facility does not alter the said working relationship between the City and the S.P.C.A.. The City will, under the terms of this Offer to Purchase, retain its right to approve or not approve an annual Agreement with the S.P.C.A..

(k) The agreement shall also be conditional upon:

(i) the Purchaser entering into an Agreement with The Corporation of the City of Hamilton (prior to the completion of the conveyance of the land to the Purchaser) providing for the terms and conditions under which Infrastructure funding is intended to be provided towards the construction cost of the Purchaser's facility to be built and under which the expenditure of monies of the Federal-Provincial Infrastructure Programme shall proceed; and,

(ii) the Purchaser obtaining a building permit and all other approvals required of it by The Corporation of the City of Hamilton prior to commencement of construction.

(l) The Purchaser agrees that it shall diligently use its best efforts to complete a sale transaction of land described as part of lot 32, Broken Front Concession, geographic township of Saltfleet, in the City of Hamilton, municipally known as 658 Parkdale Avenue North, Hamilton to a third

party purchaser. If the property is listed and prior to accepting any Offer, the Purchaser shall request the approval of the City Director of Property to the sale price. The Purchaser's plan is to complete such sale no later than twenty -four (24) calendar months from the substantial completion of construction, as defined in an Agreement dated the 5th day of October, 1994 between the Vendor and Purchaser, of the new facility for the Purchaser on the Dartnall Road location. If the purchaser has not completed the sale as aforesaid, this shall not constitute a default which would entitle the city to re-acquire the Dartnall Road location. If after the expiry of the said 24 month period the property remains not sold, the purchaser shall, if requested by the City, convey for $1. the Parkdale site to the City free and clear of all encumbrances; and,

(m) That the SPCA shall direct that the sale price received, in respect of the Parkdale property sale be paid to The Corporation of the City of Hamilton forthwith upon its receiving the sale money and such money shall not be retained by the S.P.C.A. for any other purpose. The Purchaser and the vendor acknowledge and agree that the only consideration payable by the Purchaser to the City for the new Dartnall Road location is the proceeds of sale from the sale of the Parkdale property; the insurance proceeds referred to below or the conveyance to the City referred to herein.

The parties agree that the difference between the Parkdale sale proceeds received by the City and the Fair Market Value of $342,000 of the Dartnall Road site, is a gift by the City to this S.P.C.A. project, subject to the other provisions of this Agreement.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

On March 10, 1994 Council approved an application for funding of the construction of the S.P.C.A.'s new offices under the Canada/Ontario Infrastructure Program, which application was approved on the following financial basis;

Canada contribution	$1.6million
Ontario contribution	$1.6 million
S.P.C.A. contribution	$1.358 million
City contribution **	$0.242 million
Total, Gross Construction cost	$4.8 million

** In addition to the said $242,000 contribution from the City, under the above recommendation, the City is also:

a) providing advance funding to the S.P.C.A., pending reimbursement from the Infra Program, to enable the S.P.C.A. to maintain the S.P.C.A.'s cash flow. The Treasury Department considers that the impact on interest is minimal as the turnaround time will be brief;

b) conveying for $1.00 a new site on Dartnall Road having a fair market value of $342,000. In return, the Society is to pay to the City the sale proceeds it receives on the sale of its old office location at 658 Parkdale Ave. North, and,

c) including the SPCA project as one of the eligable City Infra projects to enable this project to obtain 3.2 million dollars of the Infra Funds assigned to the City.

At its meeting on October 20,1994 your Committee decided to recommend that the value of the Dartnall Road site in excess of the sale proceeds on Parkdale Ave be made a gift from the City to the S.P.C.A. project.

BACKGROUND:

As directed by your Committee on Thursday, October 20, 1994, a meeting and discussions have been held with the S.P.C.A. by me and D. A. Powers of the Law Department. As a result of those negotiations, a revised Recommendation is made above regarding the City's participation in the S.P.C.A. headquarters project.

Under the above Recommendation, the City will retain the right to reacquire the property in the remote event that the Society ceases to provide services to the City. Also included in the above Recommendation is a new Fair Market Value formula requested by the S.P.C.A. under which the City and the S.P.C.A. will both be entitled to recover their respective investments in the property.

The City's total investment in this project comprised of Infrastructure monies and contribution towards the land amounts to a 67.15% share of the total project costs to date and the S.P.C.A.'s share amounts to 32.85% . These figures may be revised over the years to reflect further capital improvements, if any, paid by either the S.P.C.A. or the City. These figures would be used to allocate the value of the property if the City were to re-acquire the property due to the fact the City decided not to renew its annual service agreement with the Society and the City required the facilities to carry out those services.

Similarly, the Society receives the mutual right to recover its investment in the property pursuant to the above cost sharing formula if the City decides to re-acquire the property. In the event the City decides to re-acquire the property, the City agrees to pay the Society 32.85% of the then Fair Market Value or such other percentage as adjusted by subsequent agreement of the parties.

c.c. Joe Pavelka, Chief Administrative Officer,

P. Noé Johnson, City Solicitor
Attn: D. A. Powers, Senior Solicitor

8.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 20

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: To Consolidate By-law No. 71-69 Respecting the Levying of Municipal Taxes

RECOMMENDATION:

That the appropriate By-law to consolidate the Treasurer's By-law No. 71-69 be presented to Council.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

By-law No. 71-69 was enacted by City council on March 9, 1971. The By-law has been amended several times since 1971. The By-law now requires consolidation.

DISCUSSION:

Attached to this Report is a copy of the draft consolidated By-law. The consolidated By-law incorporates all amendments to By-law No. 71-69 since 1971.

PNJ/LEF:as
Enc.

c.c. A. Ross, Treasurer
Attention: T. Daw

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 94-

To Consolidate:

By-law No. 71-69

Respecting:

THE LEVYING OF MUNICIPAL TAXES

WHEREAS Parts XI and XXII of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, authorizes the levying and collection of taxes by municipalities;

AND WHEREAS By-law No. 71-69 was enacted by the Council of The Corporation of the City of Hamilton on the 9th day of March 1971 concerning the collection of taxes;

AND WHEREAS as the Municipal Interest and Discount Rates Act, R.S.O. 1990, Chapter M.58, authorizes the City Council to enact by-laws to provide for the payment of interest on overpayments refunded under Section 37(6) of the Assessment Act, R.S.O. 1990, Chapter A.31;

AND WHEREAS as By-law No. 71-69 has been amended by By-laws No. 72-28, 72-206, 73-159, 74-4, 74-184, 76-121, 77-161, 79-314, 80-034, 81-279, 81-304, 82-43, 82-87, 83-60, 84-92, 85-7, 85-30, 87-353, 90-355, 92-248, 92-313, 93-017; 93-244 and 94-054;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to consolidate By-law No. 71-69, as amended.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

   (a) "Assessment Review Board" means the Assessment Review Board established under the Assessment Review Board Act, R.S.O. 1990, Chapter A.32;

   (b) "City" means the Municipality of the City of Hamilton;

   (c) "clerk" means City Clerk of the Corporation;

   (d) "Corporation" means The Corporation of the City of Hamilton;

   (e) "Council" means the Council of the Corporation;

(f) "instalment" means a part or portion of the total tax levied in each year due and payable on the date or dates set forth in this by-law;

(g) "Municipal Act" means the Municipal Act, R.S.O 1990, Chapter M.45, as amended;

(h) "pre-levy" means the levy made before the adoption of the estimates for the year in accordance with section 159 of the Municipal Act;

(i) "Region" means the Regional Municipality of Hamilton-Wentworth;

(j) "school boards" means the Board of Education of the City of Hamilton and The Hamilton-Wentworth Roman Catholic Separate School Board;

(k) "specified charge" means one decimal zero eight three three per cent;

(l) "tenant" or "lessee" includes a tenant of lands owned by the Crown or in which the Crown has an interest;

(m) "treasurer" means Treasurer of the Corporation.

2. (1) The clerk shall complete and certify the collector's roll on or before the first day of May in each year.

(2) Upon certification of the collector's roll under subsection 1, the clerk shall forthwith deliver the certified roll to the treasurer.

3. The clerk shall not enter on any collector's roll the name of any tenant or lessee unless,

(a) the tenant or lessee is required by the terms of his lease to pay the taxes, or

(b) the owner is not liable to pay the taxes.

4. The clerk, in preparation of the collector's roll shall set down,

(a) the name in full of every person assessed and the assessed value of his real property and taxable business, as ascertained after final revision of the assessment roll, and

(b) opposite such assessed value, in a column for that purpose, the total amount for which the person is chargeable for all sums ordered to be levied by the Council, the Region or the school boards for the purpose thereof.

5. The clerk shall deliver to the treasurer, with the certified roll, a table setting forth,

(a) the total amount to be collected under and by virtue of such roll or rolls;

(b) the name and amount of each rate levied by the Municipality which is required by law, or the by-law imposing it, to be kept distinct and accounted for separately and specifying the aggregate proceeds of each rate.

6. (1) Notwithstanding the notice required to be given under subsection 1 of Section 392 of the Municipal Act, the treasurer may mail the notice or cause the notice to be mailed to the address of the residence or place of business of the person taxed.

(2) The treasurer shall make one or more certificates in accordance with subsection 1 of Section 396 of the Municipal Act.

7. All taxes, including local improvement assessments, sewer rents and rates, and other rents or rates payable as taxes, shall be paid in the office of the treasurer at the City Hall or at any chartered bank within the City.

8. (1) A pre-levy shall be made in each year.

(2) The pre-levy shall be,

(a) in a sum fixed by Council, and

(b) due and payable in two equal instalments as follows:

(i) the first instalment shall be due and payable on February 28th, and

(ii) the second instalment shall be due and payable on March 31st.

(3) Where February 28th or March 31st falls on a Saturday, Sunday or holiday, the respective instalments shall become due and payable on the last preceding day upon which the office of the treasurer is open to receive payment of taxes.

9. The treasurer may allow a discount of one third of one percent of the amount of the second instalment of taxes due and payable in a year where the aggregate of,

(a) the first instalment of taxes, and

(b) the second instalment of taxes, and

(c) all arrears of taxes, and

(d) all accumulated penalty and interest, are paid in full on or before February 28th of the current assessment year.

10. (1) The pre-levy shall be deducted from the aggregate of,

(a) real property taxes levied for the year, and

(b) non-metered water rates, and

(c) local improvement rates, and

(d) any other charges.

(2) The balance of the aggregate after deduction made under subsection 1, shall become due and payable in a further two approximately equal instalments, as follows:

(a) The third instalment shall be due and payable on June 30th.

(b) The fourth instalment shall be due and payable on September 30th.

(3) Where June 30th and September 30th fall on a Saturday, Sunday or holiday, the respective instalments shall become due and payable on the last preceding day upon which the office of the treasurer is open to receive payment of taxes.

11. (1) In this By-law, MONTHLY AUTOMATIC PAYMENT PLAN means the pre-authorized monthly withdrawal of the realty tax from the taxpayer's financial institution through electronic funds transfer.

(2) Notwithstanding Section 10, residential, industrial, and commercial realty taxpayers of The Corporation of the City of Hamilton may enrol in an optional Monthly Automatic Payment Plan to provide for the payment of realty taxes, and other charges collected in a like manner as taxes, in monthly payments in any year. The payments will be made by pre-authorized withdrawal from the taxpayer's financial institution.

(3) Payments made under the Plan for 1993 will be divided into eleven payments. The first payment will be withdrawn on January 1, 1993 and on the first day of each subsequent month until November 1, 1993. For subsequent tax years, the Plan will require twelve monthly payments. The first payment will commence on December 1st and continue on the first day of each month until November 1st of the next year.

(4) Any taxpayer may enrol in the Monthly Automatic Payment Plan at any point in time during the year, by submitting the form required by the City Treasurer and by paying all outstanding tax arrears as well as the current tax instalment due. The monthly payment for the partial year shall be determined by dividing the balance of the current year's taxes by the number of months remaining until, and inclusive of, November. Where the current year's taxes have not been set, the current year's taxes shall be replaced by the value of the previous year's taxes less payments made against the current year's taxes. On the first day of December, the monthly automatic payment will be determined by subsection (4)."

(5) If the taxpayer makes all payments as required by the Plan, no penalty or interest will be levied.

(6) Continued enrolment in the Monthly Automatic Payment Plan may be revoked by the Treasurer if more than one monthly payment fails to be honoured. If a taxpayer defaults on more than one payment, the Treasurer may cancel the privilege of any defaulting taxpayer to participate in the Monthly Automatic Payment Plan for one (1) year. Tax accounts disqualified from the program, shall revert to the regular instalment billing system and be subject to penalty and interest in accordance with this By-Law or any subsequent tax levy by-laws.

12. The treasurer may allow a discount of five-sixths of one percent on an amount equal to the sum of taxes due and payable on the third instalment and fourth instalment where the aggregate of,

(a) the third instalment, and

(b) the fourth instalment, and

(c) all arrears of taxes, and

(d) all accumulated penalty and interest

are paid on or before the last day of May upon which the office of the treasurer is open to receive payment of taxes.

13. A penalty for non-payment of any instalment of real property taxes, local improvement rates, other charges and non-metered water rates, shall be imposed at the rate of the specified charge on,

(a) the first day of default, and

(b) the first day of each calendar month thereafter in which the default continues, but not after the end of the year in which the taxes are levied.

14. The treasurer shall add to the amount of real property taxes, local improvement rates, other charges and non-metered water rates in arrears, interest at the rate of the specified charge per month for each month or fraction thereof from December 31st in the year in which the taxes are levied, until the taxes are paid in full.

15. (1) Business taxes shall be levied in each year.

(2) A pre-levy of business taxes shall be made in each year.

(3) The pre-levy shall be,

(a) in a sum fixed by Council, and

(b) due and payable in one instalment on February 28th.

(4) Where February 28th falls on a Saturday, Sunday or holiday, the pre-levy instalment shall become due and payable on the last preceding day upon which the office of the Treasurer is open to receive payment of taxes.

(5) The pre-levy shall be deducted from the balance of business taxes levied for the year.

(6) The balance of the business taxes levied for the year shall become due and payable on the 31st day of May.

(7) Where May 31st falls on a Saturday, Sunday or holiday, the business taxes shall be due and payable on the last preceding day upon which the office of the Treasurer is open to receive payment of taxes.

(8) For the purpose of this section, "pre-levy" means the levy of a sum before the adoption of the estimates, on the whole of the business assessment according to the last revised assessment roll in accordance with subsection (2) of Section 156 of the Municipal Act.

16. A penalty for non-payment of business taxes shall be imposed at the rate of the specified charge on,

(a) the first day of default, and

(b) the first day of each calendar month thereafter in which the default continues, but not after the end of the year in which the taxes are levied.

17. The treasurer shall add to the amount of all business taxes in arrears, interest at the rate of the specified charge per month for each month or fraction thereof, from December 31st in the year in which taxes are levied, until the business taxes are paid in full.

18. (1) The treasurer may accept part payment from time to time on account of any taxes due.

(2) The treasurer may give a receipt for a part payment.

(3) The acceptance by the treasurer of a part payment shall not affect the collection of any percentage charged and collectible under sections 12, 13, 15, and 16.

19. (1) The treasurer shall upon demand give a certificate of the taxes due on any land in accordance with Section 398 and subsection (1) of Section 415 of the Municipal Act.

(2) The certificate shall be according to the Form annexed hereto as Schedule "A".

(3) Except as provided in subsection (4), the treasurer shall charge a fee of $21.00 for the cost of a search and certified statement of arrears due on the land for each separate parcel.

(4) The treasurer shall not charge a fee to any person who forthwith pays the taxes.

20. Notwithstanding sections 13 and 14, no penalty or interest shall be imposed because of non-payment of any instalment of real property taxes that would otherwise become due and payable until the first day of the month following the date on which the taxes are due and payable in accordance with a demand mailed to the person taxed, following upon the direction of the Council or the Assessment Review Board apportioning the taxes in any of the following special circumstances:

(1) in respect of real property assessed in one block upon application for apportionment under the Municipal Act made before May 31st in the year in which the taxes are levied; or

(2) in respect of real property that has become exempt from taxation during the year or during the preceding year after the return of the assessment roll; or

(3) in respect of a building that was razed by fire, demolition or otherwise during the year or during the preceding year after the return of the assessment roll.

21. Notwithstanding sections 16 and 17, where a notice of appeal against any business taxes is received by the clerk, the amount estimated by the treasurer as the reduction of taxes to be approved by the Assessment Review Board shall not be subject to penalty and interest charges until the first day of the month following the due date of such taxes as evidenced by a demand mailed to the person taxed in accordance with the decision of the Assessment Review Board.

22. (1) Where an overpayment is refunded under subsection 37(6) of the Assessment Act, simple interest shall be paid on the tax overpayment to the person to whom the overpayment is refunded.

(2) The interest on the overpayment shall be the annual rate of interest established based on the highest rate of interest paid on regular savings accounts at a chartered bank, as at the 1st day of May in each succeeding year.

(3) No interest shall be paid on pending appeals in respect of the 1983 and prior taxation years.

22. Notwithstanding any other provision of this by-law, where a pre-levy is due and payable on February 28th, the pre-levy shall be due and payable in lieu thereof on February 29th of a Leap Year.

23. By-law No. 71-69, as amended by By-laws No. 72-28, 72-206, 73-159, 74-4, 74-184, 76-121, 77-161, 79-314, 80-034, 81-279, 81-304, 82-43, 82-87, 83-60, 84-92, 85-7, 85-30, 87-353 and 90-355, except for section 23, 92-248, 92-313,93-017,93-244, 94-054, is repealed.

PASSED this day of 1994.

MAYOR CITY CLERK

9.

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1994 October 24

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. C. Firth-Eagland
Acting Director of Public Works

SUBJECT: Purchase of three (3) 52,000 Lb. GVW Chassis with, 20 Cu. Yd. Rear Loading Refuse Packer Bodies, Fleet Services

RECOMMENDATION:

That a purchase order be issued to Carrier Truck Centre Inc., Brantford, in the amount of $333,925.50, all applicable taxes included, for the purchase of Three (3) 52,000 LB. GVW Chassis with 20 Cubic Yard Rear Loading Refuse Packer Bodies for Fleet Services, being the lowest of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X504 00101.

C Firth-Eagland

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This vehicle acquisition is for the replacement of existing equipment through the Fleet Services vehicle replacement programme 1994, as approved by City Council on November 30, 1993. The capital acquisition costs are carried within the Reserve for Mobile Equipment Account.

BACKGROUND: Tender Analysis

Carrier Truck Centre, Brantford	$333,925.50
Majeda Industries Ltd., Etobicoke	336,202.50
Altruck Transportation, Hamilton	336,947.70
Capital Disposal Equipment, Rexdale	354,867.00

This tender was advertised and twenty suppliers requested to bid. Sixteen (16) did not respond.

These vehicles will replace existing equipment rendered obsolete by the criteria established within the vehicle replacement programme.

DM

cc: C. Guthro, Manager of Fleet Services
J. Avery, Assistant to Manager, Purchasing
D. Manningham, Vehicle Acquisition Officer
L. Barker, Administrative Co-ordinator

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Mr. Ken Roberts, CEO
Hamilton Public Library

URBAN MUNICIPAL
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GOVERNMENT DOCUMENTS

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1994 December 8th
9:30 o'clock a.m.
Room 233, City Hall

Susan K. Reeder.

Susan K. Reeder,
Secretary

AGENDA

9:30 o'clock a.m. - Public Meeting

1. Presentation - Building Commissioner and Treasurer

   Current Development Charges By-law 90-074, as amended.

   (Note: This Public Meeting is being held in order to allow the public to make comments and/or written submissions to the Committee for its consideration in completing a new Development Charges By-law. A staff report will be presented at a subsequent meeting of the Finance and Administration Committee meeting for the enacting of the new Development Charges By-Law.)

2. **CONSENT AGENDA**

3. **TREASURER AND DIRECTOR OF TRAFFIC SERVICES**

   Staff Transfer - Parking Infractions Processing

4. **TREASURER**

   (a) Interest Charges on Outstanding Accounts Receivable

   (b) Realty and Business Tax Arrears and Collection Procedures

   (c) Settlement of Outstanding Condominium Assessment Appeals

   (d) Request for Proposal - Benefits

(e) Authorization to enter into Extension Agreements on Specific properties for the payment of realty tax arrears

(f) Tax Position - Restructuring (copy to follow)

5. TREASURER, DIRECTOR OF TRAFFIC SERVICES AND DIRECTOR OF INFORMATION SYSTEMS

Automating the Parking Infraction Notice Process

6. GRANTS CO-ORDINATOR

Information Report - Request for additional 1994 Grant funds to offset rental charge at the Airport for the Hamilton Fire Fighter Drum and Bugle Corps

7. TREASURER AND FIRE CHIEF

1995 Replacement of Fire Department Vehicle

8. FIRE CHIEF

(a) Contract amendment for one (1) Combination Fire Apparatus (Quint #1) and Purchase of One (1) Combination Fire Apparatus (Quint #2)

(b) Purchase of One (1) Fire Department Rescue Vehicle

9. DIRECTOR OF PROPERTY

(a) Additional Financing - Balfour Estate Renovations - 654 Garth Street

(b) Electrical and Lighting Maintenance in various Civic buildings for 1995, 1996 and 1997

(c) Offer to Purchase City owned lands - 32 Lincoln Street

(d) 52 James Street South - Former Bank of Montreal - and adjacent vacant parking lot

10. DIRECTOR OF INFORMATION SYSTEMS

Replacement of High Volume Matrix Printer with Laser Technology

11. PRIVATE AND CONFIDENTIAL AGENDA

12. OTHER BUSINESS

13. ADJOURNMENT

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1994 DECEMBER 8TH

CONSENT AGENDA

A. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting of the Finance and Administration Committee held Thursday, 1994 November 3rd

B. TREASURER

(i) Financing - City's Share of Land Severance Applications and Beaverton Estates

(ii) Tax applications processed under Section 443, Subsection (5) of the Municipal Act, Chapter 45, Statutes of Ontario, 1990

C. CITY SOLICITOR

By-Law to authorize Central Utilities Plant Trigeneration Project and Additional Sidewalk Reconstruction Project

D. CITY SOLICITOR AND COMMISSIONER OF HUMAN RESOURCES

Amendment to Sick Leave By-law No. 7530

E. DIRECTOR OF PROPERTY

Closure of Property Department Capital Projects

F. COMMISSIONER OF HUMAN RESOURCES

(i) Appointments to and terminations from permanent positions with the Corporation of the City of Hamilton to 1994 November 30th

(ii) Contract - United Brotherhood of Carpenters and Joiners of America, Local 18

G. DIRECTOR OF INFORMATION SYSTEMS

Payment of 1995 Dunn and Bradstreet Software Maintenance Invoice

H. ACTING DIRECTOR OF PUBLIC WORKS

Replacement of One (1) Detachable, Loader Mount Snowblower, Fleet Services

I. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items.



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